

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF TENNESSEE

JACKSON DIVISION

CASE NO.:

PUCKETT ET., AL.

PLAINTIFFS

JURY DEMAND

V.

COMPLAINT

KAREEM ABDUL JABBAR,
NBA, AIN JEEM, INC. IT'S
REPRESENTATIVES, AGENTS
AND EMPLOYEES, ET., AL.

FOR DAMAGES AND INJUNCTIVE
RELIEF FOR VIOLATIONS OF THE
**FEDERAL RACKETEERING INFLUENCED
AND CORRUPT ORGANIZATIONS ACT**

Virginia Hernandez-Covington

Anthony E Porcelli Richard Guerra
Nicole Fondura, Alejandro Fernandez,
Arthur Robert Weaver, Chris Stavro,
Axencis, Inc its employees, agents and
representatives, Deborah Morales DBA
Iconomy, Hall of Fame Sports, Jessica
Kramer, Andrew Lockton, Joycelyn
Brown, Etsy, Inc., Does 1-10 et., al.

DEFENDANTS.

APPENDIX OF EXHIBITS "A"

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EXHIBIT 1



Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Sun Jul 9 03:32:21 EDT 2023

TESS Home NEW USER STRUCTURED FREE FORM Mark Drawing Code SEARCH OG BOTTOM HELP CURR LIST NEXT DOC LAST DOC

Logout Please logout when you are done to release system resources allocated for you.

Start List At: OR Jump to record: Record 1 out of 6

ISDR ASSIGN Status TTAB Status (Use the "Back" button of the Internet Browser to return to TESS)

Mark Image

Word Mark

MASHA AND THE BEAR

Goods and Services

IC 009. US 021 023 026 036 038. G & S: Pre-recorded DVDs, namely, motion picture films featuring children's entertainment. FIRST USE: 20150415. FIRST USE IN COMMERCE: 20150415

IC 016. US 002 005 022 023 029 037 038 050. G & S: Paper products, namely, children's storybooks, notebooks, coloring books, greetings cards, stationery, stickers and pens. FIRST USE: 20150415. FIRST USE IN COMMERCE: 20150415

IC 018. US 001 002 003 022 041. G & S: Backpacks. FIRST USE: 20150415. FIRST USE IN COMMERCE: 20150415

IC 025. US 022 039. G & S: Apparel, namely, T-shirts and shoes. FIRST USE: 20150415. FIRST USE IN COMMERCE: 20150415

IC 028. US 022 023 038 050. G & S: Toys, namely, dolls, stuffed toys, board games and card games. FIRST USE: 20150415. FIRST USE IN COMMERCE: 20150415

IC 030. US 046. G & S: Candy. FIRST USE: 20150415. FIRST USE IN COMMERCE: 20150415

Mark Drawing Code

(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Search Code

02 05 04 - Children, girl(s) : Girls

02 05 24 - Stylized children, including children depicted in caricature form

03 01 14 - Bears other than pandas or teddy bears : Koalas : Koala bears : Black bears : Grizzly bears : Polar bears

03 01 23 - Stylized bears : excluding panda bears

03 01 26 - Costumed bears and those with human attributes

Serial Number

85665129

Filing Date

June 29, 2012

Current Basis

1A

Original Filing Basis

1B

Published for Opposition

March 19, 2013

Registration Number

4790909

Registration Date

August 11, 2015

Owner

(REGISTRANT) Masha and the Bear Ltd LIMITED LIABILITY COMPANY RUSSIAN FED. 9 Godovikova Street, Building 3 Moscow RUSSIAN FED. 129085

Assignment Recorded

ASSIGNMENT RECORDED

Attorney of Record

Michael G Shariff

Disclaimer

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "BEAR" AS TO THE GOODS IN INTERNATIONAL CLASS 28 APART FROM THE MARK AS SHOWN

Description of Mark

Color is not claimed as a feature of the mark. The mark consists of a little girl wearing a kerchief standing next to a waving bear, underneath them the words "Masha and The Bear" appear

Type of Mark

TRADEMARK

Register

PRINCIPAL

Affidavit Text

SECT 15. SECT 8 (6-YR)

EXHIBIT 2

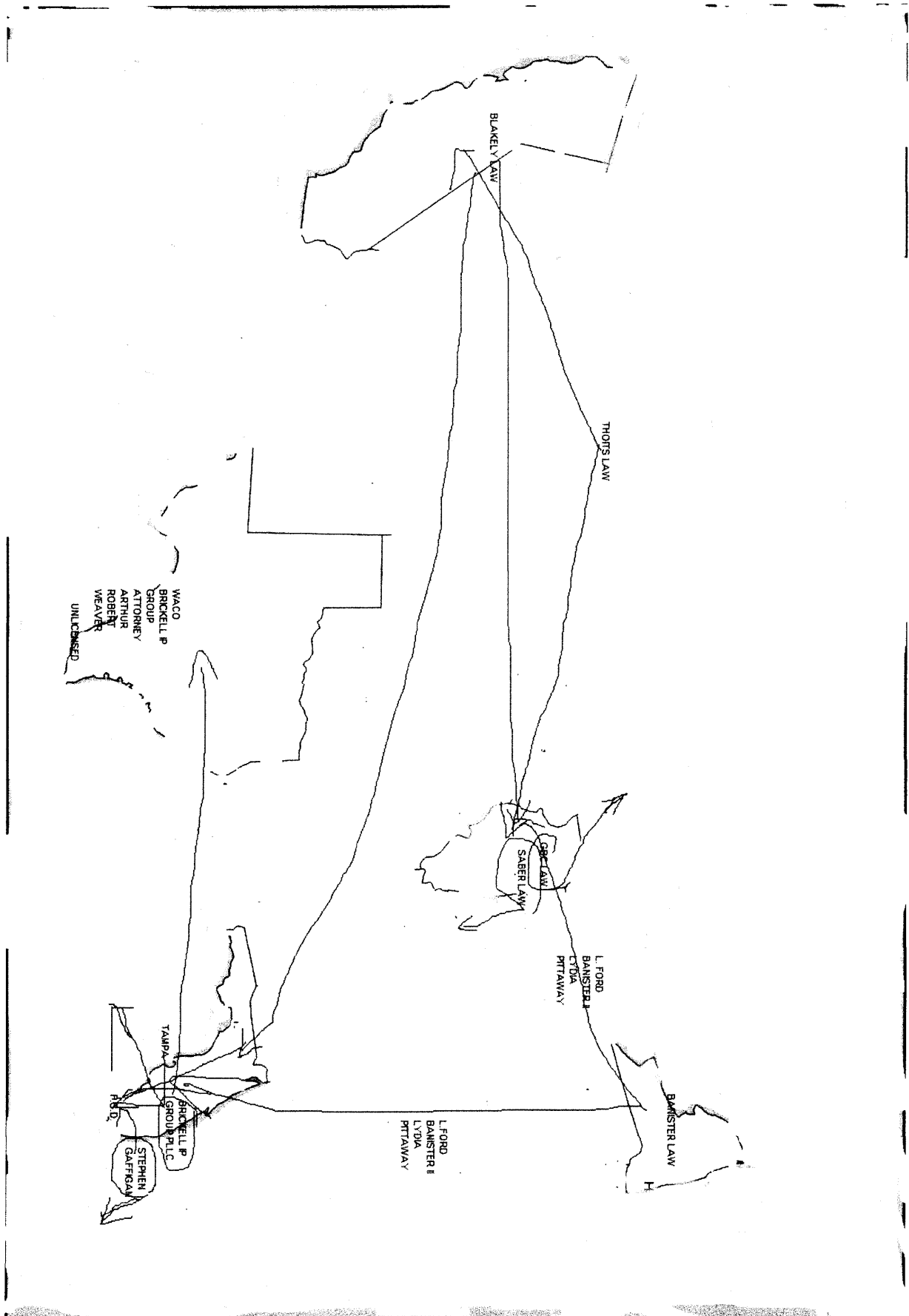


EXHIBIT 3

TRADEMARK

**U.S. District Court [LIVE]
Western District of Texas (Waco)
CIVIL DOCKET FOR CASE #: 6:23-cv-00277-ADA**

Animaccord Ltd. v. The Individuals, Partnerships, and
Unincorporated Associations Identified on Schedule A
Assigned to: Judge Alan D Albright
Cause: 15:1114 Trademark Infringement

Date Filed: 04/14/2023
Jury Demand: None
Nature of Suit: 840 Trademark
Jurisdiction: Federal Question

Plaintiff**Animaccord Ltd.**

represented by **Arthur Robert Weaver**
The Brickell IP Group, PLLC
1101 Brickell Avenue
South Tower, Suite 800
33131
Miami, FL 33131
305-710-4557
Email: rweaver@brickellip.com
ATTORNEY TO BE NOTICED

V.

Defendant

**The Individuals, Partnerships, and
Unincorporated Associations Identified
on Schedule A**

Date Filed	#	Docket Text
04/14/2023	<u>1</u>	COMPLAINT (Filing fee \$ 402 receipt number ATXWDC-17315489). No Summons requested at this time, filed by Animaccord Ltd.. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Civil Cover Sheet, # <u>5</u> Supplement AO Form 120)(Weaver, Arthur) (Entered: 04/14/2023)
04/14/2023	<u>2</u>	Motion for leave to File Sealed Document (Attachments: # <u>1</u> Exhibit Schedule "A") (Weaver, Arthur) (Entered: 04/14/2023)
04/14/2023	<u>3</u>	EX PARTE MOTION (Attachments: # <u>1</u> Exhibit Golovlova Declaration, # <u>2</u> Exhibit Schedule B, # <u>3</u> Exhibit Schedule C, # <u>4</u> Exhibit Schedule D, # <u>5</u> Exhibit Weaver Declaration, # <u>6</u> Exhibit Schedule E (Def. 1-25), # <u>7</u> Exhibit Schedule E (Def. 26-50), # <u>8</u> Exhibit Schedule E (Def. 51-70), # <u>9</u> Exhibit Schedule E (Def. 71-95), # <u>10</u> Exhibit Schedule E (Def. 96-125), # <u>11</u> Exhibit Schedule E (Def. 126-160), # <u>12</u> Exhibit Schedule E (Def. 161-183), # <u>13</u> Proposed Order) (Weaver, Arthur) (Entered: 04/14/2023)
04/14/2023	<u>4</u>	EX PARTE MOTION (Attachments: # <u>1</u> Exhibit Weaver Declaration, # <u>2</u> Proposed Order) (Weaver, Arthur) (Entered: 04/14/2023)
04/14/2023		Case assigned to Judge Alan D Albright and REFERRED to Magistrate Judge Derek T. Gilliland. CM WILL NOW REFLECT THE JUDGE INITIALS AS PART OF THE CASE NUMBER. PLEASE APPEND THESE JUDGE INITIALS TO THE CASE NUMBER ON EACH DOCUMENT THAT YOU FILE IN THIS CASE. (lad) (Entered: 04/18/2023)
04/17/2023		Case cannot be opened without an AO 120 filed. Once that is file a Judge will be assigned to the case and it will be opened.(sm3) (Entered: 04/17/2023)
04/17/2023	<u>5</u>	Notice of Filing of Patent/Trademark Form (AO 120). AO 120 forwarded to the Director of the U.S. Patent and Trademark Office. (Attachments: # <u>1</u> Exhibit AO Form 120)(Weaver, Arthur) (Entered: 04/17/2023)

05/03/2023		Text Order GRANTING <u>2</u> Motion for Leave to File Sealed Document entered by Judge Alan D Albright. (This is a text-only entry generated by the court. There is no document associated with this entry.) (NMLc) (Entered: 05/03/2023)
05/03/2023	<u>6</u>	Sealed Document filed – Schedule A re <u>1</u> . (bw) (Entered: 05/03/2023)
05/03/2023	<u>7</u>	SEALED EX PARTE ORDER Filed for <u>3</u> . (bw) (Entered: 05/03/2023)
05/03/2023	<u>8</u>	SEALED EX PARTE ORDER Filed re <u>4</u> (bw) (Entered: 05/03/2023)
05/03/2023		Preliminary Injunction Hearing set via zoom for 5/10/2023 01:30 PM before Judge Alan D Albright. (bw) (Entered: 05/03/2023)
05/03/2023	<u>9</u>	ORDER VACATING REFERRAL ORDER. CASE NO LONGER REFERRED to Magistrate Judge Derek T. Gilliland. Signed by Judge Alan D Albright. (bw) (Entered: 05/03/2023)
05/03/2023	<u>10</u>	REQUEST FOR ISSUANCE OF SUMMONS by Animaccord Ltd.. (Weaver, Arthur) (Entered: 05/03/2023)
05/03/2023	<u>11</u>	Summons Issued as to The Individuals, Partnerships, and Unincorporated Associations Identified on Schedule A. (bw) (Entered: 05/03/2023)
05/07/2023	<u>12</u>	MOTION to Extend TRO and Reschedule Preliminary Injunction Hearing re <u>7</u> Ex Parte Document by Animaccord Ltd.. (Weaver, Arthur) (Entered: 05/07/2023)
05/08/2023		Text Order GRANTING <u>12</u> Motion entered by Judge Alan D Albright. Plaintiff requests a 21-day extension to the temporary restraining order and for the preliminary injunction hearing to be rescheduled accordingly. The Court finds Plaintiff has shown good cause for this extension because it is necessary so that Plaintiff can receive Defendants identifying information from the subpoenaed third-party platforms in order to effectuate service on Defendants, as well as to give all Defendants fair notice of any preliminary injunction hearing. Accordingly, the Court hereby ORDERS pursuant to Fed. R. Civ. P. 65(b)(2) that the temporary restraining order issued in this case on May 3, 2023 (ECF No. 7), is extended until June 7, 2023. The preliminary injunction hearing set in this case will also be continued in a separate order. (This is a text-only entry generated by the court. There is no document associated with this entry.) (NMLc) (Entered: 05/08/2023)
05/08/2023	<u>13</u>	ORDER RESETTING PRELIMINARY INJUNCTION HEARING:PRELIMINARY INJUNCTION HEARING by Public Zoom set for 5/31/2023 04:00 PM before Judge Alan D Albright. Signed by Judge Alan D Albright. (ad3) (Entered: 05/08/2023)
05/22/2023	<u>14</u>	NOTICE of Voluntary Dismissal by Animaccord Ltd. as to STEPHANCRU73 (Defendant No. 115 on Schedule A to The Complaint (Weaver, Arthur) (Entered: 05/22/2023)
05/23/2023		Notice of Correction: Case closed in error on 5/22/23. Notice of dismissal only terming 1 defendant. Reopened. (ad3) (Entered: 05/23/2023)
05/23/2023		Parties shall comply with Judge Albright's updated Standing Orders: <u>Order Regarding Court Docket Management</u> and <u>Amended Standing Order for Pretrial Procedure</u> . Both orders are available by clicking the hyperlink. (bot2) (Entered: 05/24/2023)
05/24/2023	<u>15</u>	ORDER RESETTING Motion Hearing for 6/6/2023 09:30 AM before Judge Alan D Albright. Signed by Judge Alan D Albright. (bot2) (Entered: 05/24/2023)
05/24/2023	<u>16</u>	NOTICE of Voluntary Dismissal AS TO CERTAIN DEFENDANTS by Animaccord Ltd. (Weaver, Arthur) Modified on 5/24/2023 (lad). (Entered: 05/24/2023)
05/24/2023	<u>17</u>	CERTIFICATE OF SERVICE by Animaccord Ltd. <u>8</u> Ex Parte Document (Weaver, Arthur) (Entered: 05/24/2023)
05/24/2023	<u>18</u>	MOTION to Unseal Document <u>2</u> Motion for leave to File Sealed Document filed by Animaccord Ltd., <u>3</u> EX PARTE MOTION filed by Animaccord Ltd., <u>8</u> Ex Parte Document filed by Animaccord Ltd., <u>4</u> EX PARTE MOTION filed by Animaccord Ltd., <u>6</u> Sealed Document filed by Animaccord Ltd., <u>7</u> Ex Parte Document filed by Animaccord Ltd. by Animaccord Ltd.. (Weaver, Arthur) (Entered: 05/24/2023)

05/26/2023		Text Order GRANTING <u>18</u> Motion to Unseal Document <u>18</u> MOTION to Unseal Document <u>2</u> Motion for leave to File Sealed Document filed by Animaccord Ltd., <u>3</u> EX PARTE MOTION filed by Animaccord Ltd., <u>8</u> Ex Parte Document filed by Animaccord Ltd., <u>4</u> EX PARTE MOTION filed by Animaccord Lt entered by Judge Alan D Albright. (This is a text-only entry generated by the court. There is no document associated with this entry.) (NMLc) (Entered: 05/26/2023)
06/02/2023	<u>19</u>	NOTICE of Voluntary Dismissal by Animaccord Ltd. (Weaver, Arthur) (Entered: 06/02/2023)
06/03/2023	<u>20</u>	NOTICE of Voluntary Dismissal by Animaccord Ltd. (Weaver, Arthur) (Entered: 06/03/2023)
06/04/2023	<u>21</u>	MOTION for Bond by Animaccord Ltd.. (Attachments: # <u>1</u> Exhibit Bond on Injunction)(Weaver, Arthur) (Entered: 06/04/2023)
06/05/2023	<u>22</u>	ORDER GRANTING <u>21</u> Motion for Bond. Signed by Judge Alan D Albright. (sm3) (Entered: 06/05/2023)
06/06/2023	<u>23</u>	NOTICE of Voluntary Dismissal by Animaccord Ltd. (Weaver, Arthur) (Entered: 06/06/2023)
06/06/2023	<u>24</u>	NOTICE of Voluntary Dismissal by Animaccord Ltd. (Weaver, Arthur) (Entered: 06/06/2023)
06/06/2023	<u>25</u>	Minute Entry for proceedings held before Judge Alan D Albright: Preliminary Injunction Hearing held on 6/6/2023. Motion granted. Written Order Granting Preliminary Injunction granted. (Minute entry documents are not available electronically.). (Court Reporter Kristie Davis.)(sm3) (Entered: 06/06/2023)
06/08/2023	<u>26</u>	ORDER Granting Plaintiff's Motion for Preliminary Injunction. Signed by Judge Alan D Albright. (sm3) (Entered: 06/08/2023)
06/08/2023	<u>27</u>	NOTICE of Voluntary Dismissal AS TO CERTAIN DEFENDANTS by Animaccord Ltd. (Weaver, Arthur) Modified on 6/8/2023 (lad). (Entered: 06/08/2023)
06/12/2023	<u>28</u>	NOTICE of Voluntary Dismissal AS TO CERTAIN DEFENDANTS by Animaccord Ltd. (Weaver, Arthur) (Entered: 06/12/2023)
06/16/2023	<u>29</u>	NOTICE of Voluntary Dismissal AS TO CERTAIN DEFENDANTS by Animaccord Ltd. (Weaver, Arthur) (Entered: 06/16/2023)
06/20/2023	<u>30</u>	NOTICE of Voluntary Dismissal AS TO CERTAIN DEFENDANTS by Animaccord Ltd. (Weaver, Arthur) Modified on 6/20/2023 (ad3). (Entered: 06/20/2023)
06/20/2023	<u>31</u>	NOTICE of Voluntary Dismissal AS TO CERTAIN DEFENDANTS by Animaccord Ltd. (Weaver, Arthur) (Entered: 06/20/2023)
06/20/2023	<u>32</u>	MOTION for Clerk's Entry of Default against Schedule of Defaulting Defendants by Animaccord Ltd.. (Attachments: # <u>1</u> Exhibit Weaver Declaration, # <u>2</u> Exhibit Schedule of Defaulting Defendants)(Weaver, Arthur) (Entered: 06/20/2023)
06/21/2023	<u>33</u>	Clerk's ENTRY OF DEFAULT as to The Individuals, Partnerships, and Unincorporated Associations Identified on Schedule of Defaulting Defendants. (zv) (Entered: 06/21/2023)
06/27/2023	<u>34</u>	NOTICE of Voluntary Dismissal AS TO CERTAIN DEFENDANTS by Animaccord Ltd. (Weaver, Arthur) (Entered: 06/27/2023)
07/05/2023	<u>35</u>	NOTICE of Voluntary Dismissal AS TO CERTAIN DEFENDANTS by Animaccord Ltd. (Weaver, Arthur) (Entered: 07/05/2023)
07/13/2023	<u>36</u>	NOTICE of Voluntary Dismissal AS TO CERTAIN DEFENDANTS by Animaccord Ltd. (Weaver, Arthur) (Entered: 07/13/2023)
07/13/2023	<u>37</u>	NOTICE of Voluntary Dismissal AS TO CERTAIN DEFENDANTS by Animaccord Ltd. (Weaver, Arthur) (Entered: 07/13/2023)

EXHIBIT 4

Case 6:23-cv-00277-ADA Document 5-1 Filed 04/17/23 Page 1 of 1

AO 120 (Rev. 08-10)

TO: Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
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In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been
 filed in the U.S. District Court _____ on the following

☐ Trademarks or ☐ Patents. (☐ the patent action involves 35 U.S.C. § 292.):

DOCKET NO.	DATE FILED	U.S. DISTRICT COURT
PLAINTIFF		DEFENDANT
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1		
2		
3		
4		
5		

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY <input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading	
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1		
2		
3		
4		
5		

10

EXHIBIT 5

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11

Case 6:23-cv-00277-ADA Document 5 Filed 04/17/23 Page 1 of 1

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
WACO DIVISION

CASE NO. 6:23-cv-277

ANIMACCORD LTD.,
a Cyprus limited company,

Plaintiff,

v.

THE INDIVIDUALS, PARTNERSHIPS AND
UNINCORPORATED ASSOCIATIONS
IDENTIFIED ON SCHEDULE "A,"

Defendants.

NOTICE OF FILING PATENT/TRADEMARK FORM (AO 120)

Plaintiff hereby gives **NOTICE** of having previously filed Form AO 120 (Dkt. 1-5) with the filing of the Complaint in accordance with this Court's standing order. A copy of Form AO 120 is also attached to this notice.

Date: April 17, 2023

Respectfully submitted by,

THE BRICKELL IP GROUP, PLLC
1101 Brickell Avenue
South Tower, Suite 800
Miami FL, 33131
Tel: 305-728-8831
Fax: 305-428-2450

/s/ A. Robert Weaver
A. Robert Weaver
Fla. Bar No. 92132
Email: rweaver@brickellip.com

Counsel for Plaintiff

10

12

EXHIBIT 6

CLOSED,JG

**U.S. District Court
Southern District of Florida (Miami)
CIVIL DOCKET FOR CASE #: 1:21-cv-20963-FAM**

Ain Jeem, Inc. v. The Individuals, Partnerships and
Unincorporated Associations Identified on Schedule A
Assigned to: Judge Federico A. Moreno
Cause: 15:1125 Trademark Infringement (Lanham Act)

Date Filed: 03/11/2021
Date Terminated: 05/05/2021
Jury Demand: None
Nature of Suit: 840 Trademark
Jurisdiction: Federal Question

Plaintiff**Ain Jeem, Inc.**

represented by **Rafael A. Perez-Pineiro**
The Brickell IP Group PLLC
1101 Brickell Avenue
South Tower, Suite 800
Miami, FL 33131
305-728-8831
Fax: 305-428-2450
Email: rperez@brickellip.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Richard Guerra
THE BRICKELL IP GROUP, PLLC
1101 Brickell Avenue
South Tower, Suite 800
Miami, FL 33131
305-728-8831
Fax: 305-428-2450
Email: rguerra@brickellip.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Nicole Fundora
The Brickell IP Group, PLLC
1101 Brickell Avenue
South Tower, Suite 800
Miami, FL 33131
(786) 468-9736
Email: nfundora@brickellip.com
ATTORNEY TO BE NOTICED

V.

Defendant

**The Individuals, Partnerships and
Unincorporated Associations Identified
on Schedule A**

Date Filed	#	Docket Text
03/11/2021	<u>1</u>	COMPLAINT against The Individuals, Partnerships and Unincorporated Associations Identified on Schedule A. Filing fees \$ 402.00 receipt number AFLSDC-14513604. filed by Ain Jeem, Inc.. (Attachments: # <u>1</u> Civil Cover Sheet)(Fundora, Nicole) (Entered: 03/11/2021)
03/11/2021	2	Clerks Notice of Judge Assignment to Judge Federico A. Moreno. Pursuant to 28 USC 636(c), the parties are hereby notified that the U.S. Magistrate Judge Jonathan Goodman is available to handle any or all proceedings in this case. If agreed,

		parties should complete and file the Consent form found on our website. It is not necessary to file a document indicating lack of consent. (ebz) (Entered: 03/11/2021)
03/11/2021	<u>3</u>	FORM AO 120 SENT TO DIRECTOR OF U.S. PATENT AND TRADEMARK (Attachments: # <u>1</u> Complaint) (ebz) Modified to restrict attachment see DE# <u>4</u> for corrected image on 3/15/2021 (ebz). (Entered: 03/11/2021)
03/15/2021	<u>4</u>	AMENDED FORM AO 120 SENT TO DIRECTOR OF U.S. PATENT AND TRADEMARK. (Correct Complaint attached) (Attachments: # <u>1</u> Complaint) (ebz) (Entered: 03/15/2021)
03/22/2021	<u>5</u>	AMENDED COMPLAINT against The Individuals, Partnerships and Unincorporated Associations Identified on Schedule A, filed by Ain Jeem, Inc.. (Attachments: # <u>1</u> Exhibit Exhibit 1- federal trademark registrations)(Fundora, Nicole) (Entered: 03/22/2021)
03/23/2021	<u>6</u>	Plaintiff's EX PARTE MOTION for Entry of Temporary Restraining Order, Preliminary Injunction, and Order Restraining Transfer of Assets by Ain Jeem, Inc.. (Attachments: # <u>1</u> Affidavit Declaration of Deborah Morales, # <u>2</u> Affidavit Declaration of Richard Guerra, # <u>3</u> Text of Proposed Order) (Fundora, Nicole) Modified by Unsealing Document per 13 Paperless Order on 4/7/2021 (nc). (Entered: 03/23/2021)
03/23/2021	<u>7</u>	Plaintiff's EX PARTE MOTION for Order Authorizing Alternate Service of Process on Defendants by Ain Jeem, Inc.. (Attachments: # <u>1</u> Affidavit Declaration of Richard Guerra, # <u>2</u> Text of Proposed Order) (Fundora, Nicole) Modified by Unsealing Document per 13 Paperless Order on 4/7/2021 (nc). (Entered: 03/23/2021)
03/23/2021	<u>8</u>	Plaintiff's Motion to File Under Seal by Ain Jeem, Inc.. (Attachments: # <u>1</u> Exhibit Schedule A to Amended Complaint, # <u>2</u> Exhibit Schedule C to Declaration of Richard Guerra in Support of Motion for TRO, # <u>3</u> Text of Proposed Order) (Fundora, Nicole) Modified by Unsealing Document per 13 Paperless Order on 4/7/2021 (nc). (Entered: 03/23/2021)
03/23/2021	<u>9</u>	Corrected EX PARTE MOTION for Order Authorizing Alternate Service of Process on Defendants by Ain Jeem, Inc.. (Attachments: # <u>1</u> Affidavit Declaration of Richard Guerra, # <u>2</u> Text of Proposed Order) (Fundora, Nicole) Modified by Unsealing Document per 13 Paperless Order on 4/7/2021 (nc). (Entered: 03/23/2021)
04/06/2021	<u>10</u>	ORDER Denying <u>6</u> Ex Parte Motion for Entry of Temporary Restraining Order. Signed by Judge Federico A. Moreno on 4/6/2021. <i>See attached document for full details.</i> (nc) (Entered: 04/06/2021)
04/06/2021	<u>11</u>	ORDER Denying <u>8</u> Motion to File Under Seal. Signed by Judge Federico A. Moreno on 4/6/2021. <i>See attached document for full details.</i> (nc) (Entered: 04/06/2021)
04/06/2021	<u>12</u>	ORDER Granting <u>9</u> Corrected Ex Parte Motion for Order Authorizing Alternate Service of Process on Defendants. Signed by Judge Federico A. Moreno on 4/6/2021. <i>See attached document for full details.</i> (nc) (Entered: 04/06/2021)
04/07/2021	<u>13</u>	Paperless Order Directing the Clerk of Court to Unseal all the Sealed Documents 6-9 (Motions). Signed by Judge Federico A. Moreno on 4/7/2021. (jz01) (Entered: 04/07/2021)
04/07/2021	<u>14</u>	CLERK'S NOTICE of Compliance by Unsealing <u>6</u> , <u>7</u> , <u>8</u> and <u>9</u> pursuant to 13 Paperless Order (nc) (Entered: 04/07/2021)
04/07/2021	<u>15</u>	Plaintiff's EMERGENCY MOTION with Certification of Emergency included for <i>Reconsideration of Order Denying Plaintiff's Ex Parte Motion for Entry of Temporary Restraining Order and Order Denying Plaintiff's Motion to File Under Seal</i> by Ain Jeem, Inc.. Responses due by 4/21/2021 (Attachments: # <u>1</u> Exhibit Department of Homeland Security Report, # <u>2</u> Exhibit Executive Order 13904, # <u>3</u> Exhibit Similar requests for temporary restraining orders and expedited discovery which have been granted, # <u>4</u> Affidavit Declaration of Richard Guerra)(Fundora, Nicole) (Entered: 04/07/2021)
04/08/2021	<u>16</u>	PAPERLESS ORDER denying <u>15</u> Plaintiff's Emergency Motion for Reconsideration. Counsel must request permission to file any pleading under seal before filing the pleading. Signed by Judge Federico A. Moreno on 4/8/2021. (jz01) (Entered: 04/08/2021)

04/08/2021	<u>17</u>	Plaintiff's MOTION for clarification 16 Order on Emergency Motion with Certification of Emergency by Ain Jeem, Inc.. Responses due by 4/22/2021 (Fundora, Nicole) (Entered: 04/08/2021)
05/03/2021	<u>18</u>	NOTICE of Voluntary Dismissal <i>Without Prejudice</i> by Ain Jeem, Inc. (Fundora, Nicole) (Entered: 05/03/2021)
05/05/2021	<u>19</u>	FINAL ORDER OF DISMISSAL AND ORDER DENYING ALL PENDING MOTIONS AS MOOT. Signed by Judge Federico A. Moreno on 5/4/2021. <i>See attached document for full details.</i> (jz01) (Entered: 05/05/2021)

EXHIBIT 7

ebay Checkout

How do you like our checkout? [Tell us what you think](#)

Pay with



x-0433
GBP 19.03
GBP 1.00 = USD 1.3109
[More exchange rate options](#)



Add a credit or debit card

PayPal



Special financing available
Apply now [See terms](#)

Subtotal (1 item)	\$18.95
Shipping	\$5.99

Order total \$24.94

By placing your order, you authorize PayPal to process your payment, and you agree to PayPal's [user agreement](#) and [privacy statement](#) and eBay's [User Agreement](#) and [Privacy Notice](#).

Confirm and pay

ebay MONEY BACK GUARANTEE
[See details](#)

Ship to

111 NE 1st Street, Flat 4
Miami, FL 33132-2517
United States
(929)xxxx12
[Change](#)

EXHIBIT 8

Profile name *

shop

Origin ZIP code *

38237

Where do you ship
packages from?**Processing time ***

3-5 days ▼

How much time do you
need to prepare an order
and put it in the mail?
Keep in mind, shoppers
have shown they're more
likely to buy items that
ship quickly.

Your shop's order processing schedule is set to include:
Monday–Friday.

Where I'll ship *What countries will you
ship to?☐ All countries (United States only)

We make shipping internationally a breeze. Costs are automatically
calculated based on the buyer's country, and we've got you
covered on the customs front too.

[Read more about international shipping](#)☐ Asia Pacific 0 ▼☐ Australia, New Zealand and Oceania 0 ▼☐ Europe 0 ▼☐ Latin America and the Caribbean 0 ▼☐ North Africa and the Middle East 0 ▼☒ North America 1 ▼☐ Sub-Saharan Africa 0 ▼

EXHIBIT 9

[TSDR](#)[ASSIGN Status](#)[TTAB Status](#)*(Use the "Back" button of the Internet Browser to return to TE*

GRUMPY CAT

Word Mark GRUMPY CAT
Goods and Services (ABANDONED) IC 003 US 001 004 006 050 051 052. G & S. Deodorants for pets. Deodorizers for pe
 (ABANDONED) IC 005 US 006 018 044 046 051 052. G & S. Deodorizers for household pet litter box

Standard Characters Claimed
Mark Drawing Code (4) STANDARD CHARACTER MARK
Serial Number 85972295
Filing Date June 27, 2013
Current Basis 1B
Original Filing Basis 1B
Published for Opposition December 3, 2013
Owner (APPLICANT) Grumpy Cat Limited LIMITED LIABILITY COMPANY OHIO 1900 Avenue of the Stars, 2
Attorney of Record Kia Kamran, Esq
Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "CAT" APART FROM THE MARK AS SHC
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator DEAD
Abandonment Date March 6, 2017

[TESS HOME](#)[NEW USER](#)[STRUCTURED](#)[FREE FORM](#)[Browse Data](#)[SEARCH OG](#)[TOP](#)[HELP](#)[CURR LIST](#)[FIRST DOC](#)

[TESS HOME](#)
[NEW USER](#)
[STRUCTURED](#)
[FREE FORM](#)
[BROWSE DICT](#)
[SEARCH OG](#)
[BOTTOM](#)
[HELP](#)

[Logout](#) Please logout when you are done to release system resources a

[Start](#) List At: OR [Jump](#) to record: **Record 8**

[TSDR](#)
[ASSIGN Status](#)
[TTAB Status](#)
(Use the "Back" button of the

GRUMPY CAT

Word Mark	GRUMPY CAT
Goods and Services	(ABANDONED) IC 032. US 045 046 048. G & S: Soft
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	85879257
Filing Date	March 18, 2013
Current Basis	1B
Original Filing Basis	1B
Published for Opposition	June 18, 2013
International Registration Number	1280376; 1280376A
Owner	(APPLICANT) Grumpy Cat Limited LIMITED LIABILIT
Attorney of Record	Kia Kamran, Esq.
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	DEAD
Abandonment Date	September 19, 2016

[TESS HOME](#)
[NEW USER](#)
[STRUCTURED](#)
[FREE FORM](#)
[BROWSE DICT](#)
[SEARCH OG](#)
[TOP](#)
[HELP](#)

EXHIBIT 10



Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Thu Jul 13 03:32:22 EDT 2023

TESS HOME NEW USER STRUCTURED FREE FORM BROWSE DICT SEARCH OG BOTTOM HELP CURR LIST FIRST DOC

Logout Please logout when you are done to release system resources allocated for you.

Start List At: OR **Jump** to record: **Record 3 out of 7**

TSDR **ASSIGN Status** **ITAB Status** (Use the "Back" button of the Internet Browser to return to TE

SOULFLY

Word Mark	SOULFLY
Goods and Services	IC 032. US 045 046 048. G & S. Beer. FIRST USE: 20201101. FIRST USE IN COMMERCE: 202
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	88680805
Filing Date	November 5, 2019
Current Basis	1A
Original Filing Basis	1B
Published for Opposition	March 17, 2020
Registration Number	6252486
International Registration Number	1533827
Registration Date	January 19, 2021
Owner	(REGISTRANT) Cavalera, Massimiliano Antonio INDIVIDUAL BRAZIL 3010 East Bloomfield Phc
Attorney of Record	Peter Nussbaum
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

TESS HOME NEW USER STRUCTURED FREE FORM BROWSE DICT SEARCH OG TOP HELP CURR LIST FIRST DOC

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United States of America
United States Patent and Trademark Office

SOULFLY

Reg. No. 6,252,486

Registered Jan. 19, 2021

Int. Cl.: 32

Trademark

Principal Register

Cavalera, Massimiliano Antonio (BRAZIL INDIVIDUAL)
3010 East Bloomfield
Phoenix, ARIZONA 85032

CLASS 32: Beer

FIRST USE 11-1-2020; IN COMMERCE 11-1-2020

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO
ANY PARTICULAR FONT STYLE, SIZE OR COLOR

SER. NO. 88-680,805, FILED 11-05-2019

EXHIBIT 11

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Schedule A

	Company Name	Store URL
1	pengqc52	https://www.wish.com/merchant/5c7b1f30abba52a4d5e5dd1
2	zhangjing75484967675	https://www.wish.com/merchant/5faa3e832928b718c89fa06c
3	milk3214	https://www.wish.com/merchant/5e843d1e185561f2d7998203
4	wangboyang140711	https://www.wish.com/merchant/5fc7335d0c00d809b20f9492
5	lilu6755645545	https://www.wish.com/merchant/5ffd048c3279d00a070603a6
6	liutian666	https://www.wish.com/merchant/5ad089ce42159509558f444a
7	xiating1234	https://www.wish.com/merchant/5fbdff11f2ac1000439cbfb0
8	Diane Maxwell	https://www.wish.com/merchant/5e970b8fbc176e1cf38cb727
9	rhondi guido	https://www.wish.com/merchant/5e8c7c1f29c7860e6210b384
10	jaksjiuhr	https://www.wish.com/merchant/5c549e9429c7860f1cebcea8
11	Omega Allies	https://www.wish.com/merchant/600d75cb4f1a7df9b6da91db
12	liushanna123	https://www.wish.com/merchant/5ff7ca61cc479b0f30a0526d
13	Rosemary R Thibodeaux	https://www.wish.com/merchant/5e99338929c78626cfd266fa
14	workbovssoer	https://www.wish.com/merchant/5e9fd50006fdb328fcec26a7
15	zhaoyongle77917	https://www.wish.com/merchant/607e8c3cb20cf8763f520d0a
16	jianghongwei56271	https://www.wish.com/merchant/607a4c7d4ca0083199d09431
17	g6g6g8g	https://www.wish.com/merchant/5e92709529c78658c0864aa2
18	duozhengzyi Store	https://www.wish.com/merchant/5f8a9163b192f8003c32874b
19	liuhaipo05281	https://www.wish.com/merchant/60541fc5b0cd4a3895c4eb3c
20	chenwcnxuan48184	https://www.wish.com/merchant/607917d65d3b2f4054c52fab
21	lizhengquan76242	https://www.wish.com/merchant/6083e7d3c9659d452d03f417
22	tianfeifei0145	https://www.wish.com/merchant/605c4b5a7d68de510139c714
23	VincentYarger	https://www.wish.com/merchant/5e8986d429c786565520b25f
24	qiangjia fashion	https://www.wish.com/merchant/540eb7021d2d431f364b5bcc
25	NOOdlesd	https://www.wish.com/merchant/60827f8b4c1ccc663aa72af7
26	liuyuhang0731	https://www.wish.com/merchant/604730fb0b99b862ceb20b76
27	Nerly Zambola tomenlaty scruiway	https://www.wish.com/merchant/5c6351bbad6a884b8b648bd6
28	Barbara J Laws	https://www.wish.com/merchant/5e97c724ca18a547c5ccc5c9
29	wuqiuzengqian	https://www.wish.com/merchant/5c65f9cc00f3726798f3d2c
30	zhangjing75484967675	https://www.wish.com/merchant/5faa3e832928b718c89fa06c
31	zhangweihua Store	https://www.wish.com/merchant/5f4756464295f30f39cd0f77
32	mayuming5214	https://www.wish.com/merchant/5fc6ff266d407c1173173dd2
33	haozeming684	https://www.wish.com/merchant/5ffe607a66ba4f16812e1c14
34	gancitaoqing	https://www.wish.com/merchant/5efd5a9c27fde57fc3924702
35	JasonGriffith	https://www.wish.com/merchant/5c78631772b03263d10f0b7a
36	yushulinfeng	https://www.wish.com/merchant/5c672f6afc578f4dab92847b
37	sjqqfashion	https://www.wish.com/merchant/58cfb43119bf8b506f30fa81
38	Sekou bonaner tocoler	https://www.wish.com/merchant/5c61b15b039cc203cf0cd4fb
39	nvqifgiu	https://www.wish.com/merchant/5c5ca020f5995fbb32cc119a
40	liguozheng68129	https://www.wish.com/merchant/603ef849cbe2491c523fd65a
41	2301caozhiyao	https://www.wish.com/merchant/5cf301dcd743c41f74b0c96
42	teresa buendia	https://www.wish.com/merchant/5f9f601cdeb1a4004901cda1
43	CarolLong	https://www.wish.com/merchant/5e89725cc77ac33bcfb1efcb
44	wangyunxia07728	https://www.wish.com/merchant/604b2c488ac433053f5e710c
45	xnvop	https://www.wish.com/merchant/60827deb89c4461bea7a9ec7
46	lubowitzjame	https://www.wish.com/merchant/5e8daef220c9b74c0217f27c
47	christinihdcott	https://www.wish.com/merchant/5ca1588ead256859c0317e8a
48	zhuangyuanyuan30800	https://www.wish.com/merchant/607cfa9077d72828dc33a33b
49	zhangyikang50937	https://www.wish.com/merchant/607aa8584ca0088244d09c21

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Schedule A

	Company Name	Store URL
50	xialianhual6627	https://www.wish.com/merchant/6093552851acaf11eb4a3d83
51	Hair Braiding Salon	https://www.wish.com/merchant/600f9a13e155023c3ac11a50
52	dqzf97jing	https://www.wish.com/merchant/5f6985827cc0a08c68d40f7b
53	guying84152	https://www.wish.com/merchant/606c9240cca04026c00075bb
54	JJMOLL Rose	https://www.wish.com/merchant/600712ba18d5543d67213e61
55	shelbyyya	https://www.wish.com/merchant/5ca01020006fdb2b3cc20d5
56	taohonghua	https://www.wish.com/merchant/5c6989f85098721b18ac6601
57	wuche872	https://www.wish.com/merchant/5c9001e31180944c85cbfddc
58	yaoyanfang8888	https://www.wish.com/merchant/5f55aa3dcf3694897cc17520
59	zhangjun080	https://www.wish.com/merchant/5fa8b9c73349d524a6952f1e
60	zhangdongqiong43762	https://www.wish.com/merchant/5fd2fe5daf22834899c57702
61	hujihong Store	https://www.wish.com/merchant/5f83be727758fb5f3d6c8b2e
62	Vcinonyen Pants	https://www.wish.com/merchant/5cfa7899ac72bbaf30d86de
63	Jeremy Hook	https://www.wish.com/merchant/5c869ed09a295a5dd5b86fb2
64	shngadyue	https://www.wish.com/merchant/5c67089348b587399d4bf219
65	xuxinyi Store	https://www.wish.com/merchant/5f7c36bdf82a9a750ebf0536
66	chijinhao9815	https://www.wish.com/merchant/6008c61308fada1e2fe8a1e1
67	wanghui3529	https://www.wish.com/merchant/60024da5374fc50e5c97a517
68	VilmaChoi	https://www.wish.com/merchant/5c80861b36e4b823c0d2d19a
69	Variedades Yuli	https://www.wish.com/merchant/5f6bd4374cc3885930be9f66
70	ShitanshaoyuansAn	https://www.wish.com/merchant/5c6b74933c17f49ba8baa583
71	Jamie S Ross	https://www.wish.com/merchant/5c9949bad1b1ac590c2b252d
72	chenqing4112	https://www.wish.com/merchant/5fd84f2d0cfff5d3183309d
73	ladpoaw	https://www.wish.com/merchant/5c5f3ac3a7006c0a00279822
74	duhanyu35455	https://www.wish.com/merchant/6058094efd55ba0681a8c6c5
75	wudaoyun1885	https://www.wish.com/merchant/607fa0257b86d31a5fd51f14
76	Hangwiwi	https://www.wish.com/merchant/5f134b3b29e7867f4b0001f1
77	fangchang25763	https://www.wish.com/merchant/60961b75ac3fa67c173dd9a
78	xuyejun4618	https://www.wish.com/merchant/600cdeb20bdd8d767c1b3d168
79	Hanzhagen4161	https://www.wish.com/merchant/5fd5dd76c69fc8993c3a5acd
80	Jason Riddering	https://www.wish.com/merchant/5c90482ac3851e88fa79b453
81	chenyanan62170	https://www.wish.com/merchant/60657ca64090837f3807e512
82	cstampeu	https://www.wish.com/merchant/5fedfe184bc15b3f8282d608
83	yangchunghao	https://www.wish.com/merchant/5cf1b63c5d3c151d4234f74a
84	wangmingzhcna	https://www.wish.com/merchant/5c68c01ca1f2af8fad2cbfb0
85	wupeng Store	https://www.wish.com/merchant/5f73f86866cb8372610f4182
86	guoxil12233	https://www.wish.com/merchant/5fa358ba10a2ed10a67cbdb9
87	liyanping Store me	https://www.wish.com/merchant/5f8805446c6b9113edbd1d6e5
88	zhanghaopeng115150	https://www.wish.com/merchant/5fa9023ac0d9899c70725205
89	Jose Maddox	https://www.wish.com/merchant/5c9717c229e78672c3bf085
90	Andres Cardoso	https://www.wish.com/merchant/5c9053f9c3851e1b427b5c58
91	wanghaiyan123231	https://www.wish.com/merchant/5ff7dfe5cc479b268ba051f7
92	skjdfsdkgvkf	https://www.wish.com/merchant/5c6770cd589024825613f5a8
93	Fuefar bags	https://www.wish.com/merchant/5c5ca0726ac64e1640fd3db7
94	yachtsmanship	https://www.wish.com/merchant/5fdcc0f54322fa8fd922bed4
95	yangliu66503	https://www.wish.com/merchant/6042f8b5cd5ba13a48cbbac9
96	AlvisAlvayBbVh	https://www.wish.com/merchant/5c8cc9a8d54a752d556af75
97	Kenneth Gomez	https://www.wish.com/merchant/5c8714cc1f848a92f58a7476
98	wanghaonan28251	https://www.wish.com/merchant/6077acd2959bda3cb1a5c2db

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Schedule A

	Company Name	Store URL
99	rosaries	https://www.wish.com/merchant/5fca042364413307928734d8
100	James Fitzpatrick	https://www.wish.com/merchant/5c86bf0d3338732a80713640
101	peijiaxin2965	https://www.wish.com/merchant/607e497fd1b54205c17addb7
102	sunwenqing60635	https://www.wish.com/merchant/604c2991e05561368a48ce1c
103	BBradle	https://www.wish.com/merchant/5c9005a12481274cc3ed51d9
104	TaylorJames	https://www.wish.com/merchant/5c80742fdcc8613f9abaf8e8
105	pangjie82453	https://www.wish.com/merchant/60949c3ef7d9110a7b3cb753
106	yudeming68818	https://www.wish.com/merchant/604c3ad41bd2f34819e8efa6
107	Samantha Hartman	https://www.wish.com/merchant/5c972e2a5b1d4b36a2d6a272
108	lijiachengz	https://www.wish.com/merchant/5fb88a3ba2771c23a7f57019
109	yujiaxiaopuzi	https://www.wish.com/merchant/5c69b2a75098723afeac653b
110	huangjihui95691	https://www.wish.com/merchant/6068004ce52b1f3a98d06db3
111	lianglihao7990	https://www.wish.com/merchant/6046ef48f824f326b014a559
112	huanv xuyunhao1124	https://www.wish.com/merchant/5f50692d9a089c710a32e7d5
113	wanglei Store	https://www.wish.com/merchant/5f7296749ad718390dd4b09c
114	Cfayn	https://www.wish.com/merchant/5c8fc9e5d9de511645496e95
115	xuruonan199	https://www.wish.com/merchant/5fa8fa35f9a0a2755523fddd
116	fanzhcaong0070	https://www.wish.com/merchant/5f2822ff4ce010743527d43
117	chenchunhui9424	https://www.wish.com/merchant/5f291ded736ef1ffafce2cc
118	Jonmgl	https://www.wish.com/merchant/5c86c884cbbb843405630d4
119	zhaoanming8910	https://www.wish.com/merchant/5cbfa3b927aac227028577cc
120	FanzidianwDr	https://www.wish.com/merchant/5c6dc7f4551040459ca39017
121	songguangq	https://www.wish.com/merchant/5f02f294ccc85ff8c5ebecdc
122	gameswalkt	https://www.wish.com/merchant/5fc9d04c24536804bc065311
123	yangliu66503	https://www.wish.com/merchant/6042f8b5cdfba13a48cbbac9
124	liwenlong60955	https://www.wish.com/merchant/60556126cf887f004d1e80cf
125	xiushuizhilishang	https://www.wish.com/merchant/5ef9a6ff9ca1982fdecc337f
126	lilanxin86805	https://www.wish.com/merchant/6056b7ed4f784e0964a709d8
127	Jerry M Simmons	https://www.wish.com/merchant/5c95511025bb5e07b92426cf
128	yanruihao51161	https://www.wish.com/merchant/60517bb2496e082ce2e96ca7
129	jiangguotao	https://www.wish.com/merchant/5a6d51ff72765315e1b247ff
130	wanglina26691	https://www.wish.com/merchant/60546823dfid1b07c1650406
131	caichenxin389568	https://www.wish.com/merchant/5ffe8c3641c4fd5730a49984
132	zhaodonggang6895	https://www.wish.com/merchant/601399f5b0b9c40a0a39898f
133	zengzixuan3011	https://www.wish.com/merchant/5fc49cd984b7f518580d2a9b
134	mabo fashion	https://www.wish.com/merchant/5411a439f8abc808c158d43c
135	Michael Eger66	https://www.wish.com/merchant/5c9fbfc24b4ca869c9917b5c
136	Agent of Joy	https://www.wish.com/merchant/6024b315fb7ef60ded0b61cc
137	zhangxiangjin2884	https://www.wish.com/merchant/600ccc84282f6679d8c62967
138	liyang82383	https://www.wish.com/merchant/6065629811c1b00660618539
139	TobeyCherryUqE	https://www.wish.com/merchant/5ca12d3bc8048201c86365ad
140	kangzhan2	https://www.wish.com/merchant/5e8ce1c5b63f827c8ad5c395
141	ricefrankie856	https://www.wish.com/merchant/5c90680a187c5b3042cdfc18
142	sunxinyue002X	https://www.wish.com/merchant/5fadf8cd05c35533cdf027f6
143	xuruonan199	https://www.wish.com/merchant/5fa8fa35f9a0a2755523fddd
144	Jay Guerra	https://www.wish.com/merchant/5c972ccc8ebdfc385aadbf693
145	xuqingchu fashoin	https://www.wish.com/merchant/541256b04ad3ab15860f7272
146	zhutingting2095	https://www.wish.com/merchant/5fe5df06a48b42fb87621619
147	KENNETH L LEMONS	https://www.wish.com/merchant/5e85c4ff02a8006c8013b0c2

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	Company Name	Store URL
148	Wanglei686868	https://www.wish.com/merchant/5fc73dabb34108107fca4c67
149	chengmin2223	https://www.wish.com/merchant/5f90e829232f018e01b13897
150	yangshufen987	https://www.wish.com/merchant/60013332b736dc52b857321a
151	yangliu66503	https://www.wish.com/merchant/6042f8b5cdfba13a48cbbac9
152	ashtoncharles	https://www.wish.com/merchant/5fd32fb2f6b9fa1f429debc5
153	liusijie85213	https://www.wish.com/merchant/607bd151bd763c45020d9f6c
154	qinchuan53410	https://www.wish.com/merchant/60559138bf6934cc60cc362
155	wutongzhou82648	https://www.wish.com/merchant/607beb5abd763c45020db07b
156	danbinghe543	https://www.wish.com/merchant/603c4b7643a2110ba54b8743
157	decarbonater	https://www.wish.com/merchant/5f8d9ce7db0534983359bdc4
158	mayanping5195	https://www.wish.com/merchant/607d0737fecb7e368a4d464e
159	sotestxandy	https://www.wish.com/merchant/5e9fe123785c144048cc4ef2
160	longyongfei711882456	https://www.wish.com/merchant/5faa26dd3cadd60042c71b88
161	Jason B Schultz	https://www.wish.com/merchant/5e9836ddd4392f3ba3f7f7f6
162	Liana G Kim	https://www.wish.com/merchant/5e995014694c71004446b897
163	litlemistressuk	https://www.wish.com/merchant/5fc47afce74ab3519019d8d8
164	zhthethdrjtuf	https://www.wish.com/merchant/5de1cb3b84f1844080c08611
165	fuyeciu68781	https://www.wish.com/merchant/606ff92b3d3a6cc1e5e4516f
166	Commodores	https://www.wish.com/merchant/6085cdc14fc4e194baa228cf
167	murraymonicaahanba907	https://www.wish.com/merchant/5e8dabba7a17251880679744
168	hanjepen	https://www.wish.com/merchant/5e7c088d2863541653ebdd5b
169	angrngp	https://www.wish.com/merchant/5e8cd3bdb63f827068d5c4d4
170	wangweil18	https://www.wish.com/merchant/5fa8b741dc03553375b9282c
171	Liusitong0514	https://www.wish.com/merchant/5fc88de9827ddb14a8ebc0a8
172	fhucyuhwn	https://www.wish.com/merchant/5e6476091c32cb1bc01333b0
173	FGHDRdrdgdW	https://www.wish.com/merchant/5e60cf43a6757d3658430459
174	Liyang123456	https://www.wish.com/merchant/5fc9b6d45f618f2a11a01d48
175	DorisEstes	https://www.wish.com/merchant/5e785c06ba7ff15c654b4fec
176	youqiang fashion	https://www.wish.com/merchant/541d315e4ad3ab65449b3224
177	wangyunkai1453	https://www.wish.com/merchant/5fd044256a42201c18b62388
178	Sushi & Teriyaki	https://www.wish.com/merchant/6012391edb5d4230da455449
179	zhangguirong543	https://www.wish.com/merchant/6039ada9458e6c6d0934e77b
180	Yupios	https://www.wish.com/merchant/5f9b539b44cb250bacaba8cc
181	zhaoli97780	https://www.wish.com/merchant/6073e48fc26a110057ffb93
182	FraleyTysonshop6	https://www.wish.com/merchant/605883fbc3d8ca43bdc138
183	Dennis K Hammond	https://www.wish.com/merchant/5e957811cd195b1ac2e9b4ad
184	liuchengwu83762	https://www.wish.com/merchant/607be6b6c68624af54b661ce
185	surprise ming	https://www.wish.com/merchant/5d552db6560cca4cc1d3ac74
186	B&B Butchers & Restaurant	https://www.wish.com/merchant/6020f16471884d2c07c46ec0
187	zhangjiabao93813	https://www.wish.com/merchant/6056f190a86d438d667aad02
188	hanbaozhu9794	https://www.wish.com/merchant/604076497744d900445a1f33
189	shaojijun78075	https://www.wish.com/merchant/6077d968ac0868004ac5da3c
190	Rank Electronics	https://www.wish.com/merchant/5fda6501cb13b45da6a7dc7c
191	agardy	https://www.wish.com/merchant/5fd1fbfc344af2ab7d928cf3
192	Zizisunny Toys	https://www.wish.com/merchant/5e66f9ce0d422302885b52e3
193	JosephJones123	https://www.wish.com/merchant/5e745ac539339607413983b9
194	dongjie85979	https://www.wish.com/merchant/6067f8aaf36d23ba49256ca
195	Heihaipier Shaver	https://www.wish.com/merchant/5e68898e552c94041c8caff5
196	huanshhuansh	https://www.wish.com/merchant/5e7c1dfc2260a927837289c8

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	Company Name	Store URL
197	zhoutong2456	https://www.wish.com/merchant/5f4dc09fe7488c003ac0733d
198	Amanda Diaz	https://www.wish.com/merchant/5e85b0b1338f47cd39a2a5b2
199	zhoudong5001	https://www.wish.com/merchant/5fac00e5b9d35321c8faa987
200	xuedandan2049	https://www.wish.com/merchant/5ffd50438308b40850bad4dd
201	Jeanette Garner	https://www.wish.com/merchant/5e972c1529e78605c03ce44d
202	yuanfenxie00	https://www.wish.com/merchant/5c7048c17e53213d82bdfb7a
203	liushuang464665	https://www.wish.com/merchant/5ffe7de041c4fd456fa49964
204	dfzdfsd store	https://www.wish.com/merchant/5420359782b9ac03a443bc27
205	Manche progran Sakeler	https://www.wish.com/merchant/5e67559d48763f58dbd59515
206	tsubiz	https://www.wish.com/merchant/5fc9b889b35b1830a1883f74
207	Koothch	https://www.wish.com/merchant/5f129aed5288a6dda45223ca
208	Lorenza M Harris	https://www.wish.com/merchant/5e9838ce57aca68a486f8122
209	JPANLcilani	https://www.wish.com/merchant/600780cc967f2c03164cdf86
210	PaulSkidmore	https://www.wish.com/merchant/5c7f1a78a758299ff67ab5eb
211	zhangzhicheng45498	https://www.wish.com/merchant/60558091a86d4344ed7aad24
212	songchangsong48531	https://www.wish.com/merchant/6075697a1f655804a9413ffa
213	YIJIN51	https://www.wish.com/merchant/5d70c166a28c256ca81d294c
214	xushisong17146	https://www.wish.com/merchant/607bc344bd763ca41c0ce927
215	shechengping45670	https://www.wish.com/merchant/604c62bdf467b96cb166fa82
216	duyu022314	https://www.wish.com/merchant/604ae972abb5323104c1d669
217	wanglongyu20593	https://www.wish.com/merchant/607a83f24ca0086821d0947c
218	yangruize63726	https://www.wish.com/merchant/606811a8e08c776244ac2a06
219	Emma Caroline McCuiston	https://www.wish.com/merchant/5e91af4dbdeb4992e041fcf
220	zhangfengaq	https://www.wish.com/merchant/5e674089bd473c6556b97ec7
221	StevenWhitworthn	https://www.wish.com/merchant/5e9c16b329e7862b4032cc43
222	xiahongjie83854	https://www.wish.com/merchant/6067fbd0390ef75144ffe082
223	BcihuangmengzOd	https://www.wish.com/merchant/5e6cc7ac1061cf7bcc54c74f
224	yanjeawa	https://www.wish.com/merchant/5c7b10360abba51b655e62d8
225	liuchuanzheng258	https://www.wish.com/merchant/5fa63e882c522d59fb7d8cc7
226	wangqiuyujiping	https://www.wish.com/merchant/5e6462c9b24fc90a5b6c1eb2
227	Jiaoqiangao678	https://www.wish.com/merchant/5faa32926b51025734c06893
228	leirt	https://www.wish.com/merchant/5fbb9c54474b5fcb647b6c5b2
229	yuanxifu7890	https://www.wish.com/merchant/5fbbcb8c80b27661aa200027
230	weed shop kvc	https://www.wish.com/merchant/5e8ec671676d25091c4137a3
231	mumusan	https://www.wish.com/merchant/571787a61822105aa4e51a0d
232	sara swan	https://www.wish.com/merchant/5e858aaf5a9081984de8751
233	Christophercb	https://www.wish.com/merchant/5e8832f829e7864a1820b1ab
234	Spidercloud	https://www.wish.com/merchant/5fe6c8b14b77d6da4b8102bc
235	wuyanping123	https://www.wish.com/merchant/6041a5914c29f62b22187cf9
236	zhaojianqian Store	https://www.wish.com/merchant/5f7cb707acc4bc156db26edf
237	SRV News from Science	https://www.wish.com/merchant/600003b4c7dec073935b7cdb
238	zhangxiuxia856356	https://www.wish.com/merchant/603762d424bcac004299673e
239	jiaguojian23634	https://www.wish.com/merchant/6094c0ab61f14a5282f3a765
240	wangzhonghui5795	https://www.wish.com/merchant/6049c495b5f23d22db394fd8
241	qwedada666	https://www.wish.com/merchant/5efaf7d1536b3f6138b8fa5f
242	liu'yan33282	https://www.wish.com/merchant/606e78bc84c62f438e953a7b
243	ivan Zoli	https://www.wish.com/merchant/5fc9c15f94c32332424f51e5
244	liuhuaibo88967	https://www.wish.com/merchant/60599729bcf3c90045e4a353
245	yangjunxia Store	https://www.wish.com/merchant/5f79714111914789cb295454

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	Company Name	Store URL
246	zhujic6398	https://www.wish.com/merchant/60768f0bc1999679015680c4
247	i-infun	https://www.wish.com/merchant/55779309429aa92941bc2209
248	Rhonda Castro	https://www.wish.com/merchant/5e9a8ef825c3d409015776db
249	zhouxiyu40247	https://www.wish.com/merchant/60a3706128c4ec0046617647
250	ThomasGoldberg	https://www.wish.com/merchant/5e799d79f1ca1444881a7c4f
251	Sohanahisap	https://www.wish.com/merchant/5f135bdc49fbb5761280d7cd
252	Simissy Shirts	https://www.wish.com/merchant/5e684b992fb13f2d090a9751
253	molili61018	https://www.wish.com/merchant/5f8cc3f306860dcdc9488c85
254	Vendoudu Toys	https://www.wish.com/merchant/5e688143c96c2852908ffebe
255	jiaqingqing998923	https://www.wish.com/merchant/5faa18a19d15973da3ad15de
256	lijianan254	https://www.wish.com/merchant/5ff7ff42d46b3b132c790915
257	cuidaoimupeng	https://www.wish.com/merchant/5ede5e22c3c2f049c2d85d8
258	zhanmeryu1314	https://www.wish.com/merchant/5fd03b33c2c7101d8916715a
259	wangqi1228	https://www.wish.com/merchant/5fb76747d59d5b5aeb7ef8ce
260	lihao461x	https://www.wish.com/merchant/5ffd31d43f7d143da866114b
261	asflsadjk45	https://www.wish.com/merchant/5ef314918f92cc37067f23de
262	Buck That!	https://www.wish.com/merchant/5ffbcb87600d57c59618143ca
263	wangcheng Store	https://www.wish.com/merchant/5f72da290c08c2003d52a838
264	TiffanyIngramqvGp	https://www.wish.com/merchant/5e8ced45005c600cc1f10de4
265	zhangjin12063	https://www.wish.com/merchant/6052cab07c7697641e1ab53a
266	zhangpengxia13990	https://www.wish.com/merchant/6052c31d3a2f3c407a293c55
267	crkunibai	https://www.wish.com/merchant/5e9fb89913546c7f8edb0548
268	zhuxiaolong1234	https://www.wish.com/merchant/5fe412a905f7237dd8f238b
269	RobertStoltenberg	https://www.wish.com/merchant/5e7c1eca1aa7b91c012691ba
270	JenniferHarper	https://www.wish.com/merchant/5e896cc902c0175412828bcd
271	guorui17677	https://www.wish.com/merchant/607bbb47c68624841b6631c
272	guotao48364	https://www.wish.com/merchant/6077c83c959bda55a8a5c311
273	zhouzhiyu86029	https://www.wish.com/merchant/607bea39a659d5a3835a361f
274	Tara A Homan	https://www.wish.com/merchant/5e994930c24a070606da6b98
275	Wendy gough	https://www.wish.com/merchant/5e96bf8af2744d4bbe0ba692
276	Beverly Dorsey	https://www.wish.com/merchant/5e8ccff6c065a2138065aab9
277	NPC Katherine Land	https://www.wish.com/merchant/60108e46e155024229c11ad2
278	pengpenghe	https://www.wish.com/merchant/5e69ff98cfd53477d54fa749
279	xenvbyfio	https://www.wish.com/merchant/5e6356f1982865264284de63
280	tanglin281632	https://www.wish.com/merchant/5fa8fbc83d54c779ff933d0f
281	icioruoje	https://www.wish.com/merchant/5e62058948c46d1f8c9a56b3
282	fvjvdxvh	https://www.wish.com/merchant/5fcf1a907c7caa0a3a95c1d8
283	lijianan254	https://www.wish.com/merchant/5ff7ff42d46b3b132c790915
284	RebecaSchilling	https://www.wish.com/merchant/5e8d3598bc3118c88626c319
285	ChristineAskew	https://www.wish.com/merchant/5e86a9a629c7860c2b30ba82
286	liujiahaovc	https://www.wish.com/merchant/5fb730a0d65c6327662b81c7
287	dindDNdc	https://www.wish.com/merchant/5e6f46046bab203302b6df1f
288	WarrenGoodrich	https://www.wish.com/merchant/5e873f98b67d448d10b1f8b2
289	ZacharyJoshuaKFaA	https://www.wish.com/merchant/5ca12cbd2a4ed44d59c97b3d
290	JerryFannypFdGoN	https://www.wish.com/merchant/5ca12c5a6cf7c844b58f5a72
291	qqwwq65	https://www.wish.com/merchant/5e9bba4d2405fb5106c4a5b7
292	inversiones auto cauchos	https://www.wish.com/merchant/5f9d87766535343487d4faa1
293	shennan051371	https://www.wish.com/merchant/60581802bc3d8c32e5dcd142
294	gaoqichao24144	https://www.wish.com/merchant/6094f362996c94f97d86ac86

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	Company Name	Store URL
295	yinxinlong2393	https://www.wish.com/merchant/5fd02d4dfc3d8825b7cbab35
296	shengfeng64741	https://www.wish.com/merchant/60779fe75ddb6f0e901c3085
297	cojcxuoizc	https://www.wish.com/merchant/5fcf278d806d376bdaab9d09
298	guorui71320	https://www.wish.com/merchant/6054548e32442f79c42b6a73
299	linzhuwei23329	https://www.wish.com/merchant/607a8ac3a659d56cf35a2f98
300	sunjie48974	https://www.wish.com/merchant/607d572cf20ad60a06318ac8
301	Allen V Steele	https://www.wish.com/merchant/5c994a32f4479b5a01df32bf
302	JosephBabcock	https://www.wish.com/merchant/5c88028ba7d649fa1ada405c
303	Jill Lockey	https://www.wish.com/merchant/5c9a6aad2405fb3360c4a65b
304	Hearsmistfemar	https://www.wish.com/merchant/5c62269648c46d3d609a56b2
305	zhangxinjie22359	https://www.wish.com/merchant/60543fc2e4fe0c65705d2b3d
306	fumingyue43831	https://www.wish.com/merchant/60a476ca05085920c97897e8
307	tanglin281632	https://www.wish.com/merchant/5fa8fbc83d54c779ff933d0f
308	Jenna Murphy	https://www.wish.com/merchant/5c8566becb44f93564066538
309	Nathan&Melody	https://www.wish.com/merchant/56c5bfb33a698c262351ac72
310	lijianan254	https://www.wish.com/merchant/5ff7ff42d46b3b132c790915
311	liuyang72369583	https://www.wish.com/merchant/5ffc9ecaf33b861bd608ab94
312	CharleneAnderson	https://www.wish.com/merchant/5c87188329e78621a630b900
313	baronesslvqocer	https://www.wish.com/merchant/5ca00aec164b41b105603ec6
314	felicitousnes	https://www.wish.com/merchant/5fe208a38a2071ba1c109724
315	jweuyhbnf	https://www.wish.com/merchant/5c6343bbad6a88411d648b31
316	Toonde	https://www.wish.com/merchant/5fab4b45a63a63004c0df875
317	Symaine	https://www.wish.com/merchant/5fc9cb4c08134c42ec821bbe
318	KKKERR8	https://www.wish.com/merchant/5c9bbbb57000cbe52fb5e2ec
319	wuzihan12007	https://www.wish.com/merchant/60555528bf693162c0cc2d5
320	xiangleyao29389	https://www.wish.com/merchant/604999da7062a1313baf1ab9
321	wciyunping7890	https://www.wish.com/merchant/6040960f46cb967afcf37f25
322	xielei18237	https://www.wish.com/merchant/604b0b62f0b931150a9d2edd
323	youguimei3090	https://www.wish.com/merchant/605c67d930298b1f003467f9
324	orbitalwtbirdp	https://www.wish.com/merchant/5c9fbf9a62690a5124218fab
325	lwcnjing3657	https://www.wish.com/merchant/607fa251091bc51d0a75d076
326	caimengru9371	https://www.wish.com/merchant/6072a6f120a354c21172a9dd
327	daixil59357	https://www.wish.com/merchant/5fe42e91c284284ff1c2b00a
328	David D Pence	https://www.wish.com/merchant/5c994d33cc96215a8accb244
329	Debra Jean Misitano	https://www.wish.com/merchant/5c96926bf2744d264c0ba6bf
330	lifeipeng20527	https://www.wish.com/merchant/6097954c30cddfcc86b712e4
331	bowskity	https://www.wish.com/merchant/5fdb367c6ac0e6a9a8d06904
332	zhangqiuping62383	https://www.wish.com/merchant/60543874b0ed4a4500c4f1ad
333	wangxing646	https://www.wish.com/merchant/5c670a2a487631f940d5c989
334	2011 fashion clothes	https://www.wish.com/merchant/58994d20281c284f4807db31
335	caoxiaokuan	https://www.wish.com/merchant/5ffe894dfa94150810b97b77
336	qcar2874	https://www.wish.com/merchant/5c7c77932c28de7575a2ea5c
337	lijianan254	https://www.wish.com/merchant/5ff7ff42d46b3b132c790915
338	EdwinGarcia	https://www.wish.com/merchant/5c7856b653f8c669d51bb189
339	Galaxy Shop One	https://www.wish.com/merchant/5c84579acb11ec8d17a1c16b
340	rudesillbrfgxad	https://www.wish.com/merchant/5c9fd2ce13546c3564db03ac
341	McDonald all	https://www.wish.com/merchant/5fefac7aad9a3cd34d13a35b
342	c6c6c6	https://www.wish.com/merchant/5c92819b6dc9792f14160e75
343	LatoyaHeidelberg	https://www.wish.com/merchant/5c896f77355fe5c99a7cd98d

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	Company Name	Store URL
344	Ahduthes	https://www.wish.com/merchant/5fca05430abf83309b05299b
345	Franklin E Brown	https://www.wish.com/merchant/5c95637a65a1790c6cfc95df
346	hujing269	https://www.wish.com/merchant/607157402296b80adf73c23f
347	zhaoyu5017000	https://www.wish.com/merchant/6052cbe1c90faf0b820bc413
348	huleiyi95839	https://www.wish.com/merchant/606ccdb0600791302a014dad
349	lilixiang10085	https://www.wish.com/merchant/604acbe738615d3da202b8bd
350	yanyan42184	https://www.wish.com/merchant/6054150f21acc31f47cab7fb
351	lexiaohu48186	https://www.wish.com/merchant/607aa3eb45810288207adc74
352	liuyuhui4797	https://www.wish.com/merchant/607d0204f5185f00447fd87a
353	liushanshan85354	https://www.wish.com/merchant/607a941547129c004ead74d9
354	lijiaqi73327	https://www.wish.com/merchant/6070057bf1e1a9cc9f125e3c
355	liuxiaoduo68873	https://www.wish.com/merchant/606ff76ac4d61810bb66bc0c
356	Matthew R Solis	https://www.wish.com/merchant/5c994e45371bc45e0e0c3f30
357	cehngjinyang29005	https://www.wish.com/merchant/6068184fe121ce6dd711f39c
358	lixin71217	https://www.wish.com/merchant/60a4907b7e23673a3e1caedf
359	Better Lens	https://www.wish.com/merchant/60852c7da59109c1834c99cb
360	Transfuture soo	https://www.wish.com/merchant/608528449d7c54036208f0ca
361	ji fashion	https://www.wish.com/merchant/54084492c5c246615b2dc11b
362	huangxueying7890	https://www.wish.com/merchant/5ffc00c1081bd6230c2086c9
363	wangying4645	https://www.wish.com/merchant/5ffe8e88b833a15662e84b59
364	gaojiale Store	https://www.wish.com/merchant/5f8aa1121c8085878ef165f2
365	limengru4678	https://www.wish.com/merchant/5faa1f2140fccc4167d93ccc
366	xuejiajia0986	https://www.wish.com/merchant/5fa8d4d00c42de5cb01ca4c6
367	Mercedesyya	https://www.wish.com/merchant/5ea011607ad255d2cc06f803
368	liuhao112934	https://www.wish.com/merchant/5ffbcbfb84f2125b5367f7be
369	Telabeen Salen Francen	https://www.wish.com/merchant/5e66f31348763f284cd53613
370	zhanglanhong Store	https://www.wish.com/merchant/5f72cc351d28c884da4b3400
371	zhangyueyue0127	https://www.wish.com/merchant/5fc5ac75bec3db17ab044eab
372	lizhengjiang49440	https://www.wish.com/merchant/604b1c81ec8a8a6c252c3dfd
373	pedlllztc	https://www.wish.com/merchant/5c9fdded47ad255cd2c06f6d3
374	zhangzhisong42669	https://www.wish.com/merchant/6052f4b3591ac76cc443c296
375	yujian57110	https://www.wish.com/merchant/604c2af5dd77250a83221227
376	nilongjin8447	https://www.wish.com/merchant/5ff17c55858e856ac438b8cf
377	chenrong24	https://www.wish.com/merchant/604f137d1e6f4212c1c9b3bc
378	pengkehai30632	https://www.wish.com/merchant/6077cd7ac3d9f810ed0f2f60
379	CliffordMcGarry	https://www.wish.com/merchant/5e895d64355fe573a27cd970
380	wngpizhang25521	https://www.wish.com/merchant/5fd052c505cf5d4a125628a2
381	akinesrmhmt	https://www.wish.com/merchant/5e7acb5f5ab574a2204799a
382	JoShane	https://www.wish.com/merchant/5e/c266d435c961c5836dfa4
383	XianqiangshangJ	https://www.wish.com/merchant/5e6ca7cf6bab2066e2b65135
384	Xuan C Hendry	https://www.wish.com/merchant/5e9464d87fbade8dc6bd9400
385	chizonghau420	https://www.wish.com/merchant/6046fcb6df2481362ed8db
386	shihuaifang48541	https://www.wish.com/merchant/60756ba71ef32e4143568310
387	wcixiaopanjin	https://www.wish.com/merchant/5e61ed1e75e6d70bd03a33ad
388	lirunyu9876	https://www.wish.com/merchant/5fa1d6d6b510240a6e06912
389	gaomeng0218	https://www.wish.com/merchant/5fc84f6fcc60fd0df3c0f185
390	huzhiqiu123	https://www.wish.com/merchant/5fa762080c42de168a1ca429
391	dukun Store	https://www.wish.com/merchant/5f890ac020cfc84c0842a9d3
392	mclascfvo	https://www.wish.com/merchant/5e904d4c9bbc2b09428f055f

Case 0:21-cv-62498-RKA Document 6-1 Entered on FLSD Docket 01/18/2022 Page 9 of 9

Schedule A

	Company Name	Store URL
393	zhangcheng8564679	https://www.wish.com/merchant/5fd84479c27a2646a2b054f6
394	CliffordLindsaymXIV	https://www.wish.com/merchant/5ca10bdaad8c7d34bc40104c
395	zhanghui Store mc0071	https://www.wish.com/merchant/5f7ff420c64ad80044563143
396	bomrjyngon	https://www.wish.com/merchant/5e6b3b67ea20ca020d108f40
397	wanghuanhuan312X	https://www.wish.com/merchant/5ff4d7fd008871bcd8d1151
398	xiefuyuan0501	https://www.wish.com/merchant/6041ad54820aa82a0c5d35b3
399	Arcrosk Market Cys	https://www.wish.com/merchant/5f6b7979d0b3fc256d30283c
400	keylorspqrvmg	https://www.wish.com/merchant/5e9fb8f3069202a0cb3d9b44
401	DeniseCooper	https://www.wish.com/merchant/5e8957b829c7864f5d20b2f3
402	lushiju5268	https://www.wish.com/merchant/604cda86baf92f2562428461
403	huanghuandi123	https://www.wish.com/merchant/5ff41ba2f13d8e1c88436c0b
404	huizhiming72261	https://www.wish.com/merchant/605194cf5b68bb4342f98f19
405	hpcngpcng02311	https://www.wish.com/merchant/6052cc02c4f9c13541cd7d6c
406	zhangruilan568	https://www.wish.com/merchant/6045d1b5364f7b63b58792b0
407	zhangjiawei32329	https://www.wish.com/merchant/607ac4f7cfde79988022c76f
408	yejiawen06648	https://www.wish.com/merchant/607a7983c686245d08b66234
409	wuxingchi15114	https://www.wish.com/merchant/6079092b888c2b2f891c1c61
410	Moda actual	https://www.wish.com/merchant/5df118b5ee403116c6521b31
411	StewartPetershop9	https://www.wish.com/merchant/60588c0f40cc44d443cfff9c4
412	DavidPettitt	https://www.wish.com/merchant/5e86a7cdd9c52dc72cc6ace2
413	Muyifish Bags	https://www.wish.com/merchant/5e688c8d552c9407438cb56a
414	gujinhong	https://www.wish.com/merchant/5e65cb3000ff37ff138f3d15
415	zhangjing75484967675	https://www.wish.com/merchant/5faa3e832928b718c89fa06e
416	gulizhi37364	https://www.wish.com/merchant/5ff4137cb876f71c810c87e4
417	wangboyang140711	https://www.wish.com/merchant/5fc7335d0e00d809b20f9492
418	haohuayan9283	https://www.wish.com/merchant/5fd84ceb31d6a454ac699a92
419	AngleBab	https://www.wish.com/merchant/5f1677738a322c000047f026
420	i5i5i5i6	https://www.wish.com/merchant/5e92cb1a6dc9798dc017aa48
421	MooreBertzNgBpD	https://www.wish.com/merchant/5ca108c1f581821958c9848d
422	linan14736928	https://www.wish.com/merchant/5ffe749738433f3adbb19cfe
423	Liajinayin Bags	https://www.wish.com/merchant/5e5ccbd477179ce8436ca150
424	Qaphsiel	https://www.wish.com/merchant/600bd15fbdd8d76aabb3d172
425	mahongfang8669	https://www.wish.com/merchant/6047184958caa25290ccb24b
426	ioklu	https://www.wish.com/merchant/5efb13193becc28926249428
427	stores keila	https://www.wish.com/merchant/5f989af946a284b468d8f12d
428	hushuqiang Store	https://www.wish.com/merchant/5f87c2830529ff7af4bac4e8
429	cuiqiusheng33281	https://www.wish.com/merchant/606e7ab52ddfc145f877a47f
430	yangfenglai Store	https://www.wish.com/merchant/5f7c34f3c314d8f02b01b80b
431	dongyimeng9995	https://www.wish.com/merchant/5fd847cc8076464c71bfc88d
432	liyingying41498	https://www.wish.com/merchant/6077abdc4c0d619aa358ef6
433	Anitaabhn	https://www.wish.com/merchant/5e849980d63caadc80d9a3b2
434	yuanshuaidong48196	https://www.wish.com/merchant/607aa1c0cfde7975a122c839
435	liujisheng2412	https://www.wish.com/merchant/5ff18a10858c858b5538a052
436	RichardNelson	https://www.wish.com/merchant/5e8324ceccc4cd8d00e5dc93
437	Robert C Bump	https://www.wish.com/merchant/5e956f56d0206222acc8d1c8
438	ian4117	https://www.wish.com/merchant/5e8ace50355fe5be5d7cdd66
439	yzihan	https://www.wish.com/merchant/5cd8c0a1dae521a91d982715
440	MichaaliaNickaGsFrQ	https://www.wish.com/merchant/5ca7e05c74f40c6fc7b069a1
441	caoyan74112	https://www.wish.com/merchant/5e6323232724a82882dc4d78

EXHIBIT12

TESS HOME NEW USER STRUCTURED FREE FORM Browse Docs SEARCH OG BOTTOM HELP ... CURR LIST ... FIRST DOC PREV DOC

Logout Please logout when you are done to release system resources allocated for you.

Start List At: OR Jump to record: **Record 7 out of 7**

TSDR ASSIGN Status TTAB Status (Use the "Back" button of the Internet Browser to return to TESS)

SOULFLY

Word Mark	SOULFLY
Goods and Services	IC 009. US 021 023 026 036 038 G & S: series of musical sound recordings. FIRST USE: 19980421 FIRST USE IN CC
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	75429962
Filing Date	February 6, 1998
Current Basis	1A
Original Filing Basis	1B
Published for Opposition	December 1, 1998
Registration Number	2261682
Registration Date	July 13, 1999
Owner	(REGISTRANT) Cavalera, Massimiliano Antonio INDIVIDUAL BRAZIL 3010 East Bloomfield Phoenix ARIZONA 85032
Attorney of Record	Peter Nussbaum
Type of Mark	TRADEMARK
Register	PRINCIPAL
Affidavit Text	SECT 15 SECT 8 (6-YR) SECTION 8(10-YR) 20190812
Renewal	2ND RENEWAL 20190812
Live/Dead Indicator	LIVE

TESS HOME NEW USER STRUCTURED FREE FORM Browse Docs SEARCH OG TOP HELP ... CURR LIST ... FIRST DOC PREV DOC

EXHIBIT 13

SahBabii

Word Mark SAHBABII

Goods and Services (ABANDONED) IC 009 US 021 023 026 036 038 G & S: Musical recordings; audio and video recordings featuring music and m entertainment; downloadable multi-media content containing images, graphics, artwork, text, hypertext, audio and video featuring (ABANDONED) IC 016 US 002 005 022 023 029 037 038 050 G & S: Posters, calendars, memo books in the nature of memo p (ABANDONED) IC 018 US 001 002 003 022 041, G & S: All-purpose carrying bags (ABANDONED) IC 025 US 022 039, G & S: Shirts; t-shirts; hats; sweatshirts; hooded sweatshirts; sweatpants; women's underw

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 87836016

Filing Date March 15, 2018

Current Basis 1B

Original Filing Basis 1B

Published for Opposition August 28, 2018

Owner (APPLICANT) Valdey, Saaheem M. DBA SahBabii INDIVIDUAL UNITED STATES 6316 Flat Rock Lane Atlanta GEORGIA 30346

Attorney of Record Lisa B. Lane

Type of Mark TRADEMARK

Register PRINCIPAL

Other Data The name(s), portrait(s), and/or signature(s) shown in the mark identifies Saaheem Valdey whose consent(s) to register is made

Live/Dead Indicator DEAD

Abandonment Date May 27, 2019

TESS was last updated on Tue Jul 11 03:32:21 EDT 2023

TESS HOME NEW USER STRUCTURED FREE FORM BROWSE Dict SEARCH OG IMAGE LIST BOTTOM HELP

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Start List At: OR Jump to record: 3 Record(s) found (This page

Refine Search (Sahbabii)[COMB] Submit

Current Search: S1 (Sahbabii)[COMB] docs: 3 occ. 6

Export displayed results (1 ~ 3) CSV

	Serial Number	Reg. Number	Word Mark	Check Status	Live/Dead	Class(es)
1	87836016		SAHBABII	TSDR	DEAD	009, 016, 018, 025
2	87835999		SAHBABII	TSDR	DEAD	009, 016, 018, 025, 041
3	87281638	5449462	SAHBABII	TSDR	LIVE	041

Export displayed results (1 ~ 3) CSV

TESS HOME NEW USER STRUCTURED FREE FORM BROWSE Dict SEARCH OG IMAGE LIST TOP HELP

EXHIBIT 14



EXHIBIT 15



Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Sat Jul 15 03:32:21 EDT 2023

TESS HOME NEW USER STRUCTURED FREE FORM Browse Data SEARCH OG BOTTOM HELP PREVIOUS CURR LIST NEXT LIST FIRST DOC PREV D

Please logout when you are done to release system resources allocated for you

List At: OR to record: **Record 41 out of 405**


(Use the "Back" button of the Internet Browser to return to TESS)

SMILEY

Word Mark	SMILEY
Goods and Services	IC 030. US 046. G & S: Sugar, rice, coffee, flour, preparations made from cereals, namely, corn flakes, bread, past, being dairy-based or vegetable-based, chewing gum, honey, chips, crisps, ice creams
	IC 032. US 045 046 048. G & S: Beers, mineral and aerated waters, non-alcoholic drinks, namely, fruit juices, lemo
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	97706834
Filing Date	December 7, 2022
Current Basis	1B
Original Filing Basis	1B
Owner	(APPLICANT) The Smiley Company SPRL LIMITED LIABILITY COMPANY BELGIUM Avenue Louise 523 Aven Br
Attorney of Record	Steven L. Baron
Prior Registrations	2747618 2801529 5453732 AND OTHERS
Type of Mark	TRADEMARK
Register	PRINCIPAL
Other Data	The name(s), portrait(s), and/or signature(s) shown in the mark does not identify a particular living individual.
Live/Dead Indicator	LIVE

TESS HOME NEW USER STRUCTURED FREE FORM Browse Data SEARCH OG TOP HELP PREVIOUS CURR LIST NEXT LIST FIRST DOC PREV D

EXHIBIT 16

STATUS	DOCUMENTS	MAINTENANCE	Download	Print Preview
Generated on: This page was generated by TSDR on 2023-07-15 19:15:38 EDT				
Mark: UKAP				
UKAP				
US Serial Number: 90216166		Application Filing Date: Sep 28 2020		
US Registration Number: 6386479		Registration Date: Jun 15 2021		
Register: Principal				
Mark Type: Trademark				
TM5 Common Status Descriptor:		LIVE/REGISTRATION/Issued and Active		
		The trademark application has been registered with the Office		
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due				
Status Date: Jun 15 2021				
Publication Date: Mar 30 2021				
Mark Information ▼ Expand All				
Goods and Services				
Note: The following symbols indicate that the registrant/owner has amended the goods/services: <ul style="list-style-type: none"> • Brackets [] indicate deleted goods/services; • Double parenthesis (()) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and • Asterisks * identify additional (new) wording in the goods/services. 				
For: curtains; Window curtains; Shower curtains; Door curtains; Indoor and outdoor curtains				
International Class(es): 024 - Primary Class		U.S Class(es): 042, 050		
Class Status: ACTIVE				
Basis: 1(a)				
First Use: Jun 01 2020		Use in Commerce: Jun 01 2020		
For: Athletic apparel, namely: shirts, pants, jackets, footwear, hats and caps; athletic uniforms; Belts for clothing; Blouses; Boots; Coats; Corselets; Dresses; Footwear; Jackets; Nightgowns; Outerwear, namely: jackets and coats; Overcoats; Pullovers; Pyjamas; Sandals; Shirts; Shoes; Skirts; Slippers; Suits; Sweaters; Swim caps; Swim trunks; T-shirts; Teddies being underclothing; Tops as clothing; Trousers; Underpants; Underwear; Vests; Waistcoats; Wedding dresses; Bath robes; Clothing for babies, toddlers and children, treated with fire and heat retardants, namely: pajamas; jackets; shirts; pants; jumpers; Clothing, namely: folk costumes; Short-sleeved shirts; swim wear; Swim wear for gentlemen and ladies; Bandanas				
International Class(es): 025 - Primary Class		U.S Class(es): 022, 039		
Class Status: ACTIVE				
Basis: 1(a)				
First Use: Jun 01 2020		Use in Commerce: Jun 01 2020		
Basis Information (Case Level)				
Current Owner(s) Information				
Owner Name: Guang Zhou Sheng Wei Dian Zi Shang Wu You Xian Gong Si				
Owner Address: #502 Bld A Xinyushangmaoyuan Baiyun Dist Guangzhou, Guangdong CHINA 510000				
Legal Entity Type: LIMITED LIABILITY COMPANY		State or Country Where Organized: CHINA		
Attorney/Correspondence Information				

U XIAN GONG SI

Mark Identification:	UKAP
Last Applicant/Owner:	Guang Zhou Sheng Wei Dian Zi Shang Wu You Xian Gong Si #502 Bld A Xinyushangmaoyuan Baiyun Dist Guangzhou Guangdong 51000
Serial Number:	<u>90216166</u>
Filing Date:	September 28, 2020
Registration Number:	6386479
Registration Date:	June 15, 2021
Status:	Registered
Status Date:	June 15, 2021

EXHIBIT 17



Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Sat Jul 15 03:32:21 EDT 2023

TESS Home NEW USER SIGN UP FIRST TIME SEARCH OG Bottom HELP

Logout Please logout when you are done to release system resources allocated for you.

Record 1 out of 1

TSDB ASSIGN Status TTAB Status (Use the "Back" button of the Internet Browser to return to TESS)

junimo

Word Mark	JUNIMO
Translations	The wording junimo has no meaning in a foreign language
Goods and Services	IC 028 US 022 023 038 050 G & S Balloons; Puzzles; Amusement game machines; Athletic equipment, namely, hand wraps; Bath toys; Card games; Children's multipl Water squirting toys FIRST USE 20220310 FIRST USE IN COMMERCE 20220310
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	97419838
Filing Date	May 19, 2022
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	April 18, 2023
Registration Number	7098263
Registration Date	July 4, 2023
Owner	(REGISTRANT) Yangzhou Okus Trading Co., Ltd. LIMITED LIABILITY COMPANY CHINA Room 1603, 16th Floor World Trade Office Building Gaoyou CHINA 225600
Attorney of Record	Wai Gu
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

TESS Home NEW USER SIGN UP FIRST TIME SEARCH OG Top HELP

EXHIBIT 18



NAICE

Filed: September 25, 2020

Amusement devices, namely, bounce houses in the nature of an air inflated cushion in an air inflated structure; Baby gyms...

Owned by: Shenzhen Huajie Technology Co., Ltd

Serial Number: 90212008



FURPEZOO

Filed: September 30, 2020

Animal-activated pet feeders that include dispensers for releasing pet toy feeder balls with pet food and pet treats therein...

Owned by: Shenzhen Huajie Technology Co., Ltd

Serial Number: 90223905



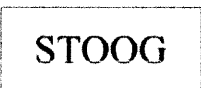
ITAAR

Filed: February 4, 2021

Beds; Desks; Furniture; Sideboards; Sofas; Bunk beds; Coat stands; Computer furniture; Dining tables; Drafting tables; End...

Owned by: Shenzhen Huajie Technology Co., Ltd

Serial Number: 90509106



STOOG

Filed: April 13, 2021

Furniture; Bed frames; Bumper guards for furniture; Bunk beds; Cabinets; Camping furniture; Combination kneeler and seat...

Owned by: Shenzhen Huajie Technology Co., Ltd

Serial Number: 90643273

STOOG

STOOG

Filed: April 13, 2021

Amusement devices, namely, bounce houses in the nature of an air inflated cushion in an air inflated structure; Inflatable...

Owned by: Shenzhen Huajie Technology Co., Ltd

Serial Number: 90643282

EPHEX

EPHEX

Filed: April 19, 2021

Armchairs; Beds; Bookcases; Desks; Furniture; Shelves; Sofas; Bedroom furniture; Cabinets; Coat racks; Dining tables; Dressers...

Owned by: Shenzhen Huajie Technology Co., Ltd

Serial Number: 90656366

Kicode

KICODE

Filed: April 19, 2021

Dumbbells; Trampolines; Body-building apparatus; Boxing bags; Elliptical exercise machines; Exercise bars; Exercise benches...

Owned by: Shenzhen Huajie Technology Co., Ltd

Serial Number: 90656400

Vin Beauty

VIN BEAUTY

Filed: May 2, 2023

Bookmarkers; Stationery; Stickers; Compasses for drawing; Drawing pens; Marking pens; Paper-clips; Paper labels; Writing...

Owned by: Shenzhen Huajie Technology Co., Ltd

Serial Number: 97916139

VIN BEAUTY - Trademark Details

Status: 630 - New Application - Record Initialized Not Assigned To Examiner

EXHIBIT 19



Trademark Search > Trademark Category > Cosmetics and Cleaning Products > SERSANLOVE

DEAD On 8/22/2022 - Abandoned - Office Action Response Not Filed or Filed Late

SERSANLOVE
奢赏之恋

SERSANLOVE - Trademark Information

By GUANGZHOU XINGE TRADING CO., LTD.

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The SERSANLOVE trademark was assigned a Serial Number #79312718 – by the United States Patent and Trademark Office (USPTO). Assigned Trademark Serial Number is a Unique ID to identify the SERSANLOVE trademark application in the USPTO.

The SERSANLOVE mark is filed in the category of Cosmetics and Cleaning Products . The legal correspondent for SERSANLOVE trademark is Zhejiang Runke; Intellectual Property Ag, Floor 4, No.622 Che; Futian Street, Yiwu, Zhejiang Province CHINA . The current status of the SERSANLOVE filing is **Abandoned - Office Action Response Not Filed or Filed Late**.

Based on GUANGZHOU XINGE TRADING CO., LTD., the SERSANLOVE trademark is used in the following business: Beauty masks; perfumes; cleansing milk for toilet purposes; essential oils; sunscreen preparations; cosmetic kits; cosmetics; lipsticks .

General Information

Serial Number	79312718
Word Mark	SERSANLOVE
Filing Date	Friday, April 2, 2021
Status	● 602 - ABANDONED - FAILURE TO RESPOND OR LATE RESPONSE
Status Date	Monday, August 22, 2022
Registration Number	0000000
Registration Date	NOT AVAILABLE
Mark Drawing	3000 - Illustration: Drawing or design which also includes word(s) / letter(s) / number(s)
Published for Opposition Date	NOT AVAILABLE

Trademark Statements

Pseudo Mark	SERSAN LOVE
Goods and Services	Beauty masks; perfumes; cleansing milk for toilet purposes; essential oils; sunscreen preparations; cosmetic kits; cosmetics; lipsticks
Transliteration Statement	The non-Latin characters in the mark transliterate to 'SHE SHANG ZHI LIAN' and this means 'extravagant appreciate of love' in English.

Guangzhou Xinge Trading Co., Ltd.

Government customs records for Guangzhou Xinge Trading Co., Ltd. in Russia. See their import and export history, including shipments to Ooo "Серсантрейд", an importer based in Russia.

Join ImportGenius to see the import/export activity of every company in Russia. Track your competitors, get freight forwarding leads, enforce exclusivity agreements, learn more about your overseas factories, and much more. Instant signup.

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GUANGZHOU XINGE TRADING CO., LTD. RECORDS

GET A COMPLETE SUPPLIER HISTORY

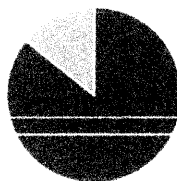
UPDATED: 2022-11-19

OVERVIEW SHIPMENTS IMPORTERS ABOUT

TOTAL IMPORTERS
2

1M 3M 6M 1Y 3Y ALL 2011-01-01 - 2022-06-20

TOP TRADING PARTNERS



LLC 'SERSANTRADE'
• LLC 'SERSANTRADE'
LLC 'AELITA'

#	IMPORTER	LAST ADDRESS	MOST RECENT	GROSS WEIGHT KGS
1	LLC "SERSANTRADE"	RU	2022-11-19	7823 KGS
2	LLC "AELITA"	RU	2022-07-21	1969 KGS

More data available to paid subscribers

SAMPLE SHIPMENT FROM GUANGZHOU XINGE TRADING CO., LTD.

ARRIVAL DATE: 2022-11-19

PRODUCT TRANSIT COMPANY

SUPPLIER
GUANGZHOU XINGE TRADING CO., LTD.

9 GUANGZHOU, GUANGDONG PROVINCE BAIYUN DISTRICT,
FORTUNE INDUSTRIAL PARK, 2790

IMPORTER
LLC "SERSANTRADE"

9 125363, MOSCOW, UL. NOVOPOSELKOVAYA, 6, K 216-1,
FLOOR 3 POM 3 COM 3 1 1 1

More data available to paid subscribers

EXHIBIT 20



Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Sat Jul 15 03:32:21 EDT 2023

TESS HOME NEW USER STRUCTURED FREE FORM BROWSE DICT SEARCH OG BOTTOM HELP

Please logout when you are done to release system resources allocated for you.

Record 1 out of 1

TSDR ASSIGN Status ITAB Status (Use the "Back" button of the Internet Browser to return



Word Mark	TXQ SABER
Goods and Services	IC 028, US 022 023 038 050, G & S: Toy swords, FIRST USE: 20191026, FIRST USE IN COMMEI
Mark Drawing Code	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code	26 01 27 - Circles containing irregular exterior lining or elements not amounting to a decorative bor 26 05 21 - Triangles that are completely or partially shaded
Serial Number	90208196
Filing Date	September 24, 2020
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	May 4, 2021
Registration Number	6424004
Registration Date	July 20, 2021
Owner	(REGISTRANT) Wuhan Qinglu E-Commerce Co., Ltd. limited company (Ltd.) CHINA No.399 Lihua
Attorney of Record	Haoyi Chen
Disclaimer	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "SABER" APART FROM THE MARK A
Description of Mark	The mark consists of the wording "TXQ SABER" below the stylized and fused letters "TXQ".
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

TESS HOME NEW USER STRUCTURED FREE FORM BROWSE DICT SEARCH OG TOP HELP

Case: 1:23-cv-02211 Document #: 8 Filed: 04/10/23 Page 2 of 3 PageID #:155

United States of America

United States Patent and Trademark Office



Reg. No. 6,424,004
Registered Jul. 20, 2021
Int. Cl.: 28
Trademark
Principal Register

Wuhan Qinglu E-Commerce Co., Ltd. (CHINA limited company (ltd.))
No.399 Lihua Road
Dongxihu District
Wuhan, Hubei, CHINA 430040

CLASS 28: Toy swords

FIRST USE 10-26-2019; IN COMMERCE 10-26-2019

The mark consists of the wording "TXQ SABER" below the stylized and fused letters "TXQ".

No claim is made to the exclusive right to use the following apart from the mark as shown: "SABER"

SER. NO. 90-208,196, FILED 09-24-2020



EXHIBIT 21

Trademark Search > Trademark Category > Clothing Products > **EVERBRIGHTING**

DEAD On 2/27/2017 - Abandoned - Office Action Response Not Filed or Filed Late



EVERBRIGHTING - Trademark Information

By liling ye

[Share this mark](#)

The EVERBRIGHTING trademark was assigned a Serial Number #87002043 – by the United States Patent and Trademark Office (USPTO). Assigned Trademark Serial Number is a Unique ID to identify the EVERBRIGHTING trademark application in the USPTO.

The EVERBRIGHTING mark is filed in the category of Clothing Products . The legal correspondent for EVERBRIGHTING trademark is LILING YE, WUSI NORTH ROAD, JIN AN DISTRICT, FUZHOU 350008 CHINA . The current status of the EVERBRIGHTING filing is **Abandoned - Office Action Response Not Filed or Filed Late**.

EXHIBIT 22

GUANGZHOU YUETENG E-COMMERCE CO., LTD. Trademarks



Gershion

GERSHION

Filed: April 19, 2017

Babies' trousers; Baby layettes for clothing; Bathing suits; Clothing, namely, arm warmers; Clothing, namely, athletic sleeves...

Owned by: GUANGZHOU YUETENG E-COMMERCE CO., LTD.

Serial Number: 87416443



Gershion

GERSHION

Fingernail tips; Nail art stickers; Nail care kits comprising nail polish; Nail cosmetics; Nail decolorants; Nail enamels...

Owned by: GUANGZHOU YUETENG E-COMMERCE CO., LTD.

Serial Number: 88475741



Lumento

LUMENTO

Filed: February 29, 2020

Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms; Belts for clothing; Blouses...

Owned by: GUANGZHOU YUETENG E-COMMERCE CO., LTD.

Serial Number: 88815848

EXHIBIT 23

STUFFED BEAVER LIMITED

Company Number HE394175

Status Active

Incorporation Date 7 February 2019 (over 4 years ago)

Company Type Limited Company

Jurisdiction Cyprus

Registered Address Πριγκιπίσσης Αλεξίας, 49,
3083, Λεμεσός, Κύπρος
Cyprus

Directors / Officers PAR SUNDSTROM, director
ΚΥΡΙΑΚΗ ΚΟΥΜΑ, secretary

Registry Page <https://efiling.drcor.mcit.gov.cy/Drc...>

Recent filings for STUFFED BEAVER LIMITED

24 Oct 2022	ALTERATION OF OFFICERS AND OF THEIR PARTICULARS HE4-Notification of change of Officers and of their particulars
24 Oct 2022	ALTERATION OF OFFICERS AND OF THEIR PARTICULARS Other Documents
2 Sep 2021	TRANSFER OF SHARES HE57-Transfer of shares of private companies
1 Sep 2021	ALTERATION OF ADDRESS OF REGISTERED OFFICE HE2-Communication of the address of the Registered Office or change to it
1 Sep 2021	ALTERATION OF ADDRESS OF REGISTERED OFFICE Other Documents

EXHIBIT 24

LAWS TREATIES JUDGMENTS BROWSE BY JURISDICTION WIPO-ADMINISTERED TREATIES

WIPO-Administered Treaties

[Export to Excel](#)Contracting Parties > **Hague Agreement** (Total Members: 79)

Member	Signature	Instrument	In Force	Details
African (Intellectual Property) Organization (OAPI)		Accession: June 16, 2000	October 10, 2000	Details
Albania		Accession: February 19, 2007	March 19, 2007	Details
Armenia		Accession: April 13, 2007	July 10, 2007	Details
Azerbaijan		Accession: September 8, 2010	December 8, 2010	Details
Belarus		Accession: April 19, 2001	July 19, 2001	Details
Belgium		Accession: February 22, 1979	April 1, 1979	Details
Belize		Accession: June 10, 2003	July 12, 2003	Details
Benin		Accession: October 2, 1986	November 2, 1986	Details
Bosnia and Herzegovina		Accession: September 24, 2006	December 24, 2009	Details
Botswana		Accession: September 5, 2006	December 5, 2006	Details
Brazil		Accession: February 13, 2003	August 1, 2003	Details
Brunei Darussalam		Accession: September 24, 2013	December 24, 2013	Details
Bulgaria		Accession: November 11, 1996	December 11, 1996	Details
Cambodia		Accession: November 26, 2016	February 26, 2017	Details
Canada		Accession: July 16, 2018	November 5, 2018	Details
China		Accession: February 5, 2022	May 5, 2022	Details
Cote d'Ivoire		Accession: April 26, 1992	May 30, 1992	Details
Croatia		Accession: January 12, 2004	February 12, 2004	Details
Democratic People's Republic of Korea		Accession: April 15, 1992	May 27, 1992	Details
Denmark		Accession: September 9, 2008	December 9, 2008	Details
Egypt		Accession: March 1, 1961	July 1, 1962	Details

Estonia		Accession: March 21, 2002	December 23, 2003	Details
European Union (EU)		Accession: September 24, 2007	January 1, 2008	Details
Finland		Accession: February 1, 2011	May 1, 2011	Details
France	November 6, 1925	Accession: September 8, 1930	October 20, 1930	Details
Gabon		Accession: July 18, 2003	August 18, 2003	Details
Georgia		Accession: July 1, 2003	August 1, 2003	Details
Germany	November 6, 1925	Ratification: May 1, 1928	June 1, 1928	Details
Ghana		Accession: June 18, 2008	September 18, 2008	Details
Greece		Accession: March 18, 1997	April 18, 1997	Details
Holy See				Details
Hungary		Accession: March 7, 1994	April 7, 1994	Details
Iceland		Accession: July 6, 2001	December 23, 2003	Details
Israel		Accession: October 3, 2019	January 3, 2020	Details
Italy		Accession: May 15, 1997	June 13, 1997	Details
Jamaica		Accession: November 10, 2021	February 10, 2022	Details
Japan		Accession: February 13, 2015	May 13, 2015	Details
Kyrgyzstan		Accession: February 17, 2003	March 17, 2003	Details
Latvia		Accession: April 28, 2005	July 26, 2005	Details
Liechtenstein		Accession: May 8, 1933	July 14, 1933	Details
Lithuania		Accession: June 26, 2008	September 26, 2008	Details
Luxembourg		Accession: February 22, 1979	April 1, 1979	Details
Mal		Accession: August 7, 2006	September 7, 2006	Details
Mauritius		Accession: February 8, 2023	May 6, 2023	Details
Mexico		Accession: March 6, 2020	June 8, 2020	Details
Monaco		Accession: February 19, 1956	April 29, 1956	Details
Mongolia		Accession: March 15, 1997	April 12, 1997	Details
Montenegro		Declaration of Continued Application: December 4, 2006	June 3, 2006	Details
Morocco	November 6, 1925	Accession: September 8, 1930	October 20, 1930	Details
Namibia		Accession: March 31, 2004	June 30, 2004	Details
Netherlands		Accession: February 22, 1979	April 1, 1979	Details
Niger		Accession: August 20, 2004	September 20, 2004	Details
North Macedonia		Accession: February 16, 1997	March 18, 1997	Details

Norway		Accession: March 17, 2010	June 17, 2010	Details
Oman		Accession: December 4, 2008	March 4, 2009	Details
Poland		Accession: April 2, 2009	July 2, 2009	Details
Portugal	November 6, 1925			Details
Republic of Korea		Accession: March 31, 2014	July 1, 2014	Details
Republic of Moldova		Accession: February 14, 1994	March 14, 1994	Details
Romania		Accession: June 17, 1992	July 18, 1992	Details
Russian Federation		Accession: November 30, 2017	February 29, 2018	Details
Rwanda		Accession: May 31, 2011	August 31, 2011	Details
Rwanda		Accession: May 31, 2011	August 31, 2011	Details
Samoa		Accession: October 2, 2019	January 2, 2020	Details
San Marino		Accession: October 28, 2018	January 28, 2019	Details
Sao Tome and Principe		Accession: September 8, 2008	December 8, 2008	Details
Senegal		Accession: May 30, 1994	June 30, 1994	Details
Serbia		Accession: November 26, 1993	December 30, 1993	Details
Singapore		Accession: January 17, 2005	April 17, 2005	Details
Slovenia		Accession: December 12, 1994	January 13, 1995	Details
Spain	November 6, 1925	Ratification: May 1, 1928	June 1, 1928	Details
Suriname		Declaration of Continued Application: November 18, 1978	November 25, 1978	Details
Switzerland	November 6, 1925	Ratification: May 1, 1928	June 1, 1928	Details
Syrian Arab Republic		Accession: February 7, 2008	May 7, 2008	Details
Tajikistan		Accession: December 21, 2011	March 21, 2012	Details
Tunisia	November 6, 1925	Accession: September 3, 1930	October 20, 1930	Details
Turkey		Accession: October 1, 2004	January 1, 2005	Details
Turkmenistan		Accession: December 16, 2015	March 16, 2016	Details
Ukraine		Accession: May 28, 2002	August 28, 2002	Details
United Kingdom		Accession: March 13, 2018	June 13, 2018	Details
United States of America		Accession: February 13, 2015	May 13, 2015	Details
Viet Nam		Accession: September 30, 2019	December 30, 2019	Details

WIPO

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[WIPO Lex](#) > [Database](#)[LAWS](#) **[TREATIES](#)** [JUDGMENTS](#) [BROWSE BY JURISDICTION](#) [WIPO-ADMINISTERED TREATIES](#)

WIPO-Administered Treaties

[Contracting Parties](#) > [Hague Agreement](#) > [United States of America](#)

The Hague Agreement Concerning the International Protection of Literary and Artistic Works, adopted on October 29, 1927, in The Hague, The Netherlands, and amended by the Paris Act of 1970, the Geneva Act of 1992, and the Marrakesh Act of 2013.

Dates

Accession: February 13, 2015

Entry into force: May 13, 2015

The Hague Agreement Concerning the International Protection of Literary and Artistic Works, adopted on October 29, 1927, in The Hague, The Netherlands, and amended by the Paris Act of 1970, the Geneva Act of 1992, and the Marrakesh Act of 2013.

Act(s)	Article(s)	Signature	Instrument	Entry into Force
Geneva Act 1992		July 6, 1992	Ratification: February 13, 2015	May 13, 2015

WIPO-Administered Treaties

WIPO administers 26 treaties including the WIPO Convention.

► IP Protection

Beijing Treaty on Audiovisual Performances

Berne Convention

Brussels Convention

Madrid Agreement (Indications of Source)

Marrakesh VIP Treaty

Nairobi Treaty

Paris Convention

Patent Law Treaty

Phonograms Convention

Rome Convention

Singapore Treaty on the Law of Trademarks

Trademark Law Treaty

Washington Treaty

WIPO Copyright Treaty (WCT)

WIPO Performances and Phonograms Treaty (WPPT)

► Global Protection System

Budapest Treaty

Hague Agreement

Lisbon Agreement

Madrid Agreement (Marks)

Madrid Protocol

Patent Cooperation Treaty (PCT)

► Classification

Locarno Agreement

Nice Agreement

Strasbourg Agreement

Vienna Agreement

EXHIBIT 25

2021/11/15	<u>21-cv-62354</u>	THE BRICKELL IP GROUP, P LLC	<u>BLIND GUARDIAN</u> (TRIAL IN ABSENTIA)
2021/11/18	21-cv-6164	HSP	<u>Grumpy Cat</u> (trial in absentia)
2021/12/10	<u>21-cv-69807</u>	Ford Banister IP	<u>BAGLAMOORE COSTUME</u> (TR IAL IN ABSENTIA)
2021/12/14	21-cv-62499	THE BRICKELL IP GROUP, P LLC	<u>Scatixrd</u> (trial in absentia)
2021/12/14	21-cv-62496	THE BRICKELL IP GROUP, P LLC	<u>Scatfly</u> (trial in absentia)
2021/12/14	21-cv-62497	THE BRICKELL IP GROUP, P LLC	<u>Sabatón Band</u> (Trial in absenti a)
2021/12/27	<u>21-cv-69664</u>	GBC	<u>TELFAR Menswear</u> (Motion of Absenteeism)
2021/12/23	<u>21-cv-69642</u>	GBC	<u>TELFAR Menswear</u> (Trial in ab sentia)
2021/12/23	<u>21-cv-69339</u>	GBC	<u>TELFAR Menswear</u> (Trial in ab sentia)
2021/12/20	<u>21-cv-67661</u>	GBC	<u>Lululemon</u> (trial in absentia)

<https://sellerdefense.cn/allcase-2021/>

**The site documents all cases where no hearing or notice is
given as required by law**

List of 2020 Cases

Prosecution time	Case number	Law firm	Brand
2020/12/9	20-cv-25002	THE BRICKELL IP GROUP PLLC LC	MASHA AND THE BEAR (absent motion) (absent trial)

List of 2021 Cases

Prosecution time	Case number	Law firm	Brand
2021/1/13	21-cv-20112	THE BRICKELL IP GROUP PLLC	Good Earth (Trial is absentia)
2021/2/23	21-cv-20744	THE BRICKELL IP GROUP PLLC	MASHA AND THE BEAR
2021/3/8	21-cv-20916	THE BRICKELL IP GROUP PLLC	Sadako
2021/3/11	21-cv-20963	THE BRICKELL IP GROUP PLLC	Karen Abduljabbar
2021/3/22	21-cv-21097	THE BRICKELL IP GROUP PLLC	Grigori

Case 0:22-cv-60850-AHS Document 7 Entered on FLSD Docket 05/11/2022 Page 3 of 8

2021/3/22	21-cv-6108 9	THE BRICKELL IP GROUP, PLLC	MASHA AND THE BEAR
2021/5/5	21-cv-108 2	THE BRICKELL IP GROUP, PLLC	Kareem Abdul-Jabbar
2021/5/5	21-cv-609 57	THE BRICKELL IP GROUP, PLLC	XYZ Corporation
2021/5/21	21-cv-610 85	THE BRICKELL IP GROUP, PLLC	XYZ Corporation
2021/5/26	21-cv-611 07	THE BRICKELL IP GROUP, PLLC	Scatixd
2021/6/1	21-cv-611 44	THE BRICKELL IP GROUP, PLLC	XYZ Corporation
2021/6/11	21-cv-612 30	THE BRICKELL IP GROUP, PLLC	XYZ Corporation
2021/6/17	21-cv-612 67	THE BRICKELL IP GROUP, PLLC	XYZ Corporation
2021/6/22	21-cv-612 79	THE BRICKELL IP GROUP, PLLC	XYZ Corporation
2021/6/22	21-cv-612 78	THE BRICKELL IP GROUP, PLLC	Sabatón Band (Trial in Absence)
2021/6/22	21-cv-612 77	THE BRICKELL IP GROUP, PLLC	Sabatón Band (Trial in Absence)
2021/6/22	21-cv-612 76	THE BRICKELL IP GROUP, PLLC	Sabatón Band (absent motion)
2021/8/15	21-cv-617 04	THE BRICKELL IP GROUP, PLLC	MASHA AND THE BEAR (Motion for Absenteeism)
2021/9/22	21-cv-619 93	THE BRICKELL IP GROUP, PLLC	MASHA AND THE BEAR
2021/9/27	21-cv-620 32	THE BRICKELL IP GROUP, PLLC	Red Earth
2021/11/15	21-cv-623 54	THE BRICKELL IP GROUP, PLLC	XYZ Corporation

Case 0:22-cv-60850-AHS Document 7 Entered on FLSD Docket 05/11/2022 Page 4 of 8

2021/12/14	21-cv-624 99	THE BRICKELL IP GROUP, PLLC	Soulfly
2021/12/14	21-cv-624 98	THE BRICKELL IP GROUP, PLLC	Soulfly Fivina Band
2021/12/14	21-cv-624 97	THE BRICKELL IP GROUP, PLLC	Soulfly Band

See <https://sellerdefense.cn/allcase-2020/> and <https://sellerdefense.cn/allcase-2021/>, visited on February 7, 2022.

EXHIBIT 26

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EXHIBIT 27

Etsy Reporting Portal

Protect your brand with our new Etsy Reporting Portal

At Etsy, we're committed to supporting creativity and innovation. We're also dedicated to protecting the rights of creators and brands, both big and small. That's why we're making it easier than ever for intellectual property rights owners like you to register their brands and report suspected violations of IP rights.

2. Reports of Intellectual Property Infringement

Etsy strives to respond quickly when we receive a report of intellectual property infringement that complies with our policies by removing or disabling access to the allegedly infringing material. When Etsy removes or disables access in response to a report, Etsy makes a reasonable attempt to contact the affected member, provide information about the report and removal, and, in cases of alleged copyright infringement, provide information about how to submit a counter notice. Etsy may also provide a copy of the infringement report, including the name and email address of the reporting party, to the affected member.

To submit a report of alleged infringement against Etsy shop listings, you can use the [Etsy Reporting Portal](#). This is the easiest way to report alleged infringement to Etsy and its Designated Agent under the Digital Millennium Copyright Act and other intellectual property rights.

To submit a report of alleged infringement against usernames, shop names, videos on an Etsy shop page, or videos from an Explore post on Etsy, use [Etsy's Reporting Form](#).

If you are unable to use the Etsy Reporting Portal, you can read more about our DMCA notice requirements and Designated Agent [here](#).

Etsy may request additional information before processing a report, such as a letter of authorization from the rights owner, identity verification of the reporting party, or other documentation regarding the claimed right. Etsy may reject reports of infringement or counter notices that contain information we believe is false, fraudulent, incomplete, or otherwise submitted in bad faith. Etsy also reserves the right to take action against abusers of this policy.

80

EXHIBIT 28

AXENCIS

Investigator Name: Chris Stavrou



Commissioner Wilton Simpson

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[Home](#) / [Business Services](#) / **Private Investigation Licenses**

Private Investigation Licenses

The Florida Department of Agriculture and Consumer Services (FDACS) licenses and regulates private investigative firms and individuals in Florida in accordance with [Chapter 493, Florida Statutes \(F.S.\)](#). Private investigators advertise or perform services for consideration as defined in [Section 493.6101\(17\), F.S.](#)



Commissioner Wilton Simpson

[Home](#) / [Licensing](#) / **Individual Name Search**

Individual Name Search

Search Category:

County:

All Individuals ▼

All ▼

Search by Name: *(Last Name, First Middle)*

Stavro, Chris

493.6100 Legislative intent.—The Legislature recognizes that the private security, investigative, and recovery industries are rapidly expanding fields that require regulation to ensure that the interests of the public will be adequately served and protected. The Legislature recognizes that untrained persons, unlicensed persons or businesses, or persons who are not of good moral character engaged in the private security, investigative, and recovery industries are a threat to the welfare of the public if placed in positions of trust. Regulation of licensed and unlicensed persons and businesses engaged in these fields is therefore deemed necessary.

History.—ss. 2, 11, ch. 90-364; s. 4, ch. 91-429; s. 1, ch. 94-172.

(n) Employing or contracting with any unlicensed or improperly licensed person or agency to conduct activities regulated under this chapter, or performing any act that assists, aids, or abets a person or business entity in engaging in unlicensed activity, when the licensure status was known or could have been ascertained by reasonable inquiry.

493.6120 Violations; penalty.—

(1)(a) Except as provided in paragraph (b), a person who engages in any activity for which this chapter requires a license and who does not hold the required license commits:

1. For a first violation, a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

EXHIBIT 29

see User Agreement for Corsearch.com - Corsearch

DISCLAIMER OF WARRANTIES AND LIABILITY

Any information retrieved from the Site is not to be construed as a legal opinion as to whether a trademark may be used and/or registered, that any goods or services in which a trademark may be used are lawful, or that legal action should be taken in relation to brand protection. Corsearch is not a law firm and does not issue legal opinion(s). It is the responsibility of the User to obtain necessary legal counsel on any information retrieved from the Site and all Services utilized on the Site.

EXHIBIT 30

Generated on: This page was generated by TSDR on 2023-07-09 11:40:34 EDT

Mark: AXENCIS

AXENCIS

US Serial Number: 90236856

Application Filing Date: Oct 06 2020

Filed as TEAS Plus: Yes

Currently TEAS Plus: No

Register: Principal

Mark Type: Service Mark

TM5 Common Status

Descriptor:



DEAD/APPLICATION/Refused/Dismissed or Invalidated

This trademark application was refused, dismissed or invalidated by the Office and this application is no longer active.

Status: Abandoned because the applicant failed to respond or filed a late response to an Office action. To view all documents in this file, click on the Trademark Document Retrieval link at the top of this page.

Status Date: Apr. 25, 2022

Date Abandoned: Apr. 08, 2022

▲ Mark Information

▲ Goods and Services

▲ Basis Information (Case Level)

▲ Current Owner(s) Information

▲ Attorney/Correspondence Information

▼ Prosecution History

▼ Expand All

Date	Description	Proceeding Number
Apr. 25, 2022	ABANDONMENT NOTICE E-MAILED - FAILURE TO RESPOND	
Apr. 25, 2022	ABANDONMENT NOTICE MAILED - FAILURE TO RESPOND	
Apr. 25, 2022	ABANDONMENT - FAILURE TO RESPOND OR LATE RESPONSE	
Oct. 07, 2021	NOTIFICATION OF NON-FINAL ACTION E-MAILED	
Oct. 07, 2021	NON-FINAL ACTION E-MAILED	
Oct. 07, 2021	NON-FINAL ACTION WRITTEN	95369
Sep. 09, 2021	TEAS/EMAIL CORRESPONDENCE ENTERED	96339
Sep. 09, 2021	CORRESPONDENCE RECEIVED IN LAW OFFICE	96339
Sep. 09, 2021	ASSIGNED TO LIE	96339
Sep. 01, 2021	TEAS REQUEST FOR RECONSIDERATION RECEIVED	
Jun. 08, 2021	NOTIFICATION OF FINAL REFUSAL EMAILED	
Jun. 08, 2021	FINAL REFUSAL E-MAILED	
Jun. 08, 2021	FINAL REFUSAL WRITTEN	95369
Jun. 01, 2021	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jun. 01, 2021	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jun. 01, 2021	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Mar. 09, 2021	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Mar. 09, 2021	NON-FINAL ACTION E-MAILED	6325
Mar. 09, 2021	NON-FINAL ACTION WRITTEN	95369
Mar. 09, 2021	REMOVED FROM TEAS PLUS	95369
Mar. 05, 2021	ASSIGNED TO EXAMINER	95369
Nov. 19, 2020	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED	
Oct. 09, 2020	NEW APPLICATION ENTERED	

EXHIBIT 31

Evi

Page Title

Receipt for Your Payment to Phantom Cardboard - rschoenfelder@gmail.com - Gmail

URL

<https://mail.google.com/mail/u/0/%23inbox/FMfcgxwLsSXXBrsGpJxMJVpdTTcmngSF>

Collection Date

Wed, 10 Feb 2021 01:48:43 UTC (US Department of Commerce / NIST authenticated timestamp)

Collected by

Ralph Schoenfelder

IP Address

213.169.153.97

Browser Information

Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome

Digital Signature (SHA256 / PKCS#1v1.5)

Uo6apkp2YDGMIGxx8adP4KhbCo5T0yUHjl8qd9m0TtZorSmuLz50wBvLrJsMYOsOw/29YS
CirbDZenTRgAc9CaWI0ldZpxlCnCY2m1RrF4Qd/8k8Ptb0XS2Gofrey2nLdYSNzFL7YlcXXa4

Reverse IP Lookup Information

Domain: 213.169.153.97
IP Address: 213.169.153.97
Hostname: internet.by.net
flash.com.cy

Reverse IP for 213.169.153.97

Continent: Asia (AS)
Country: Cyprus (CY)
State: Unknown
City: Larnaca
ISP: A.C. NetFlash Technologies Ltd
Organization: A.C. NetFlash Technologies Ltd
Time zone: Asia/Nicosia

DNS Lookup related for 213.169.153.97

Continent 29.8405 /
Lat/Lon: 89.296
Country
Lat/Lon: 35 / 33
City Lat/Lon: (34.9165) /
(33.6272)
IP Language: Greek and
Turkish[
IP Currency: Euro (EUR)
IDD Code: +357

EVIDE1

Page Title

Kareem Abdul-Jabbar Unique Gift Idea for TABLET Occasion Famous Quote Decor - Plaques & Signs

URL

<https://www.bonanza.com/listings/763287375>

Collection Date

Tue, 02 Feb 2021 06:32:44 UTC (US Department of Commerce / NIST authenticated timestamp)

Collected by

Chris Stavrou

IP Address

2607:fb90:622d:b11d:61ba:e55b:7dc4:3faa

Browser Information

Mozilla/5.0 (X11; Linux x86_64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/87.0.4280.88 Safari/5

Digital Signature (SHA256 / PKCS#1v1.5)

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2607:fb90:622d:b11d:61ba:e55b:7dc4:3faa

Hostname:

2607:fb90:622d:b11d:61ba:e55b:7dc4:3faa

ASN: 21928

ISP: T-Mobile USA Inc.

Services: None detected

Assignment:

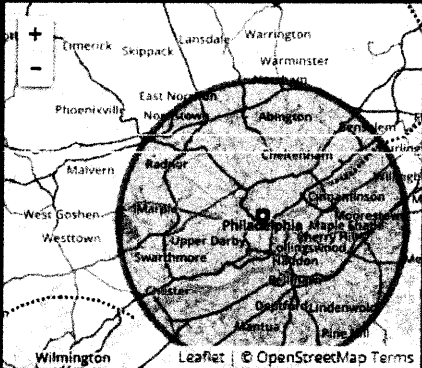
Country: United States

State/Region: Pennsylvania

City: Philadelphia

Latitude: 39.9523 (39° 57' 8.42" N)

Longitude: -75.1638 (75° 9' 49.64" W)



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EXHIBIT 32



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LII U.S. Code Title 15 CHAPTER 22 SUBCHAPTER III § 1116

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15 U.S. Code § 1116 - Injunctive relief

U.S. Code Notes

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(a) JURISDICTION; SERVICE

The several courts vested with jurisdiction of civil actions arising under this chapter shall have power to grant injunctions, according to the principles of equity and upon such terms as the court may deem reasonable, to prevent the violation of any right of the registrant of a mark registered in the Patent and Trademark Office or to prevent a violation under subsection (a), (c), or (d) of section 112 of this title. A plaintiff seeking any such injunction shall be entitled to a rebuttable presumption of irreparable harm upon a finding of a violation identified in this subsection in the case of a motion for a permanent injunction or upon a finding of likelihood of success on the merits for a violation identified in this subsection in the case of a motion for a preliminary injunction or temporary restraining order. Any such injunction may include a provision directing the defendant to file with the court and serve on the plaintiff within thirty days after the service on the defendant of such injunction, or such extended period as the court may direct, a report in writing under oath setting forth in detail the manner and form in which the defendant has complied with the injunction. Any such injunction granted upon hearing, after notice to the defendant, by any district court of the United States, may be served on the parties against whom such injunction is granted anywhere in the United States where they may be found, and shall be operative and may be enforced by proceedings to punish for contempt, or otherwise, by the court by which such injunction was granted, or by any other United States district court in whose jurisdiction the defendant may be found.

(b) TRANSFER OF CERTIFIED COPIES OF COURT PAPERS

The said courts shall have jurisdiction to enforce said injunction, as provided in this chapter, as fully as if the injunction had been granted by the district court in which it is sought to be enforced. The clerk of the court or judge granting the injunction shall, when required to do so by the court before which application to enforce said injunction is made, transfer without delay to said court a certified copy of all papers on file in his office upon which said injunction was granted.

(c) NOTICE TO DIRECTOR

It shall be the duty of the clerks of such courts within one month after the filing of any action, suit, or proceeding involving a mark registered under the provisions of this chapter to give notice thereof in writing to the Director setting forth in order so far as known the names and addresses of the litigants and the designating number or numbers of the registration or registrations upon which the action, suit, or proceeding has been brought, and in the event any other registration be subsequently included in the action, suit, or proceeding by amendment, answer, or other pleading, the clerk shall give like notice thereof to the Director, and within one month after the judgment is entered or an appeal is taken the clerk of the court shall give notice thereof to the Director, and it shall be the duty of the Director on receipt of such notice forthwith to endorse the same upon the file wrapper of the said registration or registrations and to incorporate the same as a part of the contents of said file wrapper.

(d) CIVIL ACTIONS ARISING OUT OF USE OF COUNTERFEIT MARKS

(1)

(A) In the case of a civil action arising under section 1114(1)(a) of this title or section 220506 of title 36 with respect to a violation that consists of using a counterfeit mark in connection with the sale, offering for sale, or distribution of goods or services, the court may, upon ex parte application, grant an order under subsection (a) of this section pursuant to this subsection providing for the seizure of goods and counterfeit marks involved in such violation and the means of making such marks, and records documenting the manufacture, sale, or receipt of things involved in such violation.

(B) As used in this subsection the term "counterfeit mark" means—

(i) a counterfeit of a mark that is registered on the principal register in the United States Patent and Trademark Office for such goods or services sold, offered for sale, or distributed and that is in use, whether or not the person against whom relief is sought knew such mark was so registered; or

(ii) a spurious designation that is identical with, or substantially indistinguishable from, a designation as to which the remedies of this chapter are made available by reason of section 220506 of title 36;

but such term does not include any mark or designation used on or in connection with goods or services of which the manufacture^[1] or producer was, at the time of the manufacture or production in question authorized to use the mark or designation for the type of goods or services so manufactured or produced, by the holder of the right to use such mark or designation.

(2) The court shall not receive an application under this subsection unless the applicant has given such notice of the application as is reasonable under the circumstances to the United States attorney for the judicial district in which such order is sought. Such attorney may participate in the proceedings arising under such application if such proceedings may affect evidence of an offense against the United States. The court may deny such application if the court determines that the public interest in a potential prosecution so requires.

(3) The application for an order under this subsection shall—

(A) be based on an affidavit or the verified complaint establishing facts sufficient to support the findings of fact and conclusions of law required for such order; and

(B) contain the additional information required by paragraph (5) of this subsection to be set forth in such order.

(4) The court shall not grant such an application unless—

(A) the person obtaining an order under this subsection provides the security determined adequate by the court for the payment of such damages as any person may be entitled to recover as a result of a wrongful seizure or wrongful attempted seizure under this subsection; and

(B) the court finds that it clearly appears from specific facts that—

(i) an order other than an ex parte seizure order is not adequate to achieve the purposes of section 1114 of this title;

(ii) the applicant has not publicized the requested seizure;

(iii) the applicant is likely to succeed in showing that the person against whom seizure would be ordered used a counterfeit mark in connection with the sale, offering for sale, or distribution of goods or services;

(iv) an immediate and irreparable injury will occur if such seizure is not ordered;

(v) the matter to be seized will be located at the place identified in the application;

(vi) the harm to the applicant of denying the application outweighs the harm to the legitimate interests of the person against whom seizure would be ordered of granting the application; and

(vii) the person against whom seizure would be ordered, or persons acting in concert with such person, would destroy, move, hide, or otherwise make such matter inaccessible to the court, if the applicant were to proceed on notice to such person.

(5) An order under this subsection shall set forth—

(A) the findings of fact and conclusions of law required for the order;

(B) a particular description of the matter to be seized, and a description of each place at which such matter is to be seized;

(C) the time period, which shall end not later than seven days after the date on which such order is issued, during which the seizure is to be made;

(D) the amount of security required to be provided under this subsection; and

(E) a date for the hearing required under paragraph (10) of this subsection.

(6) The court shall take appropriate action to protect the person against whom an order under this subsection is directed from publicity, by or at the behest of the plaintiff, about such order and any seizure under such order.

(7) Any materials seized under this subsection shall be taken into the custody of the court. For seizures made under this section, the court shall enter an appropriate protective order with respect to discovery and use of any records or information that has been seized. The protective order shall provide for appropriate procedures to ensure that confidential, private, proprietary, or privileged information contained in such records is not improperly disclosed or used.

(7) Any materials seized under this subsection shall be taken into the custody of the court. For seizures made under this section, the court shall enter an appropriate protective order with respect to discovery and use of any records or information that has been seized. The protective order shall provide for appropriate procedures to ensure that confidential, private, proprietary, or privileged information contained in such records is not improperly disclosed or used.

(8) An order under this subsection, together with the supporting documents, shall be sealed until the person against whom the order is directed has an opportunity to contest such order, except that any person against whom such order is issued shall have access to such order and supporting documents after the seizure has been carried out.

(9) The court shall order that service of a copy of the order under this subsection shall be made by a Federal law enforcement officer (such as a United States marshal or an officer or agent of the United States Customs Service, Secret Service, Federal Bureau of Investigation, or Post Office) or may be made by a State or local law enforcement officer, who, upon making service, shall carry out the seizure under the order. The court shall issue orders, when appropriate, to protect the defendant from undue damage from the disclosure of trade secrets or other confidential information during the course of the seizure, including, when appropriate, orders restricting the access of the applicant (or any agent or employee of the applicant) to such secrets or information.

(10)

(A) The court shall hold a hearing, unless waived by all the parties, on the date set by the court in the order of seizure. That date shall be not sooner than ten days after the order is issued and not later than fifteen days after the order is issued, unless the applicant for the order shows good cause for another date or unless the party against whom such order is directed consents to another date for such hearing. At such hearing the party obtaining the order shall have the burden to prove that the facts supporting findings of fact and conclusions of law necessary to support such order are still in effect. If that party fails to meet that burden, the seizure order shall be dissolved or modified appropriately.

(B) In connection with a hearing under this paragraph, the court may make such orders modifying the time limits for discovery under the Rules of Civil Procedure as may be necessary to prevent the frustration of the purposes of such hearing.

(11) A person who suffers damage by reason of a wrongful seizure under this subsection has a cause of action against the applicant for the order under which such seizure was made, and shall be entitled to recover such relief as may be appropriate, including damages for lost profits, cost of materials, loss of good will, and punitive damages in instances where the seizure was sought in bad faith, and, unless the court finds extenuating circumstances, to recover a reasonable attorney's fee. The court in its discretion may award prejudgment interest on relief recovered under this paragraph, at an annual interest rate established under section 6621(a)(2) of title 26, commencing on the date of service of the claimant's pleading setting forth the claim under this paragraph and ending on the date such recovery is granted, or for such shorter time as the court deems appropriate.

(July 5, 1946, ch. 540, title VI, § 34, 60 Stat. 439; Pub. L. 93-596, § 1, Jan. 2, 1975, 88 Stat. 1949; Pub. L. 98-473, title II, § 1503(1), Oct. 12, 1984, 98 Stat. 2179; Pub. L. 100-667, title I, § 128(c)-(e), Nov. 16, 1988, 102 Stat. 3945; Pub. L. 104-153, § 6, July 2, 1996, 110 Stat. 1388; Pub. L. 106-43, § 3(a)(1), Aug. 5, 1999, 113 Stat. 218; Pub. L. 106-113, div. B, § 1000(a)(9) [title III, § 3003(a)(1), title IV, § 4732(b)(1)(B)], Nov. 29, 1999, 113 Stat. 1536, 1501A-548, 1501A-583; Pub. L. 107-273, div. C, title III, § 13207(b)(8)-(10), Nov. 2, 2002, 116 Stat. 1908; Pub. L. 110-403, title I, § 102(b), Oct. 13, 2008, 122 Stat. 4258; Pub. L. 116-260, div. Q, title II, § 226(a), Dec. 27, 2020, 134 Stat. 2208.)

EXHIBIT 33

H.R. Rep. No. 116-645 (2020).

to an injunction).⁵⁰

2. Balancing First Amendment concerns

In providing that a plaintiff is entitled to a rebuttable presumption of irreparable harm following a court's finding of trademark infringement, or upon a finding of likelihood of success on the merits in the case of a motion for preliminary injunction or temporary restraining order, the Committee acknowledges the need to take special care to ensure that the interests protected by the Lanham Act do not encroach on the rights to free speech and expression enshrined in the First Amendment. Courts have long been appropriately circumspect in applying the Lanham Act so as not to inter-

⁵⁰ *Adidas*, 890 F.3d 747, 762-63.

⁵¹ *Herb Reed*, 736 F.3d at 1250 (emphasis added).

⁵² *Id.*; *Williams v. Green Valley RV, Inc.*, No. 8:15-cv-01010, 2015 WL 4694075, at *2 (C.D. Cal. Aug. 6, 2015) ("Plaintiff's evidence of irreparable harm is nothing more than a regurgitation of consumer confusion evidence Irreparable harm is no longer presumed or proven by a mere showing of consumer confusion.").

⁵³ *SpiralEdge v. Seaworld*, No. 13-cv-296, 2013 WL 3467435, at *6 (S.D. Cal. July 9, 2013) ("Because SpiralEdge has failed to meet its burden of demonstrating that irreparable injury is likely in the absence of an injunction, the Court need not decide whether [SpiralEdge] is likely to succeed on the merits.") (quotation marks omitted); see also *Lemley*, *supra* note 40, at 1908.

⁵⁴ See Rettew Statement, *supra* note 38, at 17.

⁵⁵ The Committee recognizes that there are key differences between trademarks and patents, including those discussed in this report. The Committee is not, at this time, taking a position with regard to the decision in *eBoy* in the patent context.

fere with the First Amendment rights of creators and distributors of "artistic works" (sometimes called "expressive works"), including without limitation movies, television programs, songs, books, plays, video games, and the like, which may depict or reference third-party marks within such artistic works or in such artistic works' titles.⁵⁹ It is the intent of the Committee that this legislation will not in any way affect that jurisprudence.

The standard for accommodating First Amendment interests in the Lanham Act context for infringement and unfair competition claims was first articulated in *Rogers v. Grimaldi*,⁶⁰ which has been widely adopted by courts across the nation in the subsequent three decades. As a threshold matter under the *Rogers* test, a plaintiff cannot state a viable trademark claim in the context of an artistic work (1) unless the defendant's use of the mark "has no artistic relevance to the underlying work whatsoever," or (2) "if it has some artistic relevance, unless the [use of the mark] explicitly misleads as to the source or the content of the work."⁶¹ The "no artistic relevance . . . whatsoever" standard sets an extremely low bar, requiring only that "the level of relevance must merely be above zero."⁶² This black-and-white rule has the benefit of limiting [the court's] need to engage in artistic analysis in this context."⁶³ When that bar is met and any level of artistic relevance to the underlying work is present, the use may be actionable only where the creator explicitly misleads consumers. This test appropriately recognizes the primacy of constitutional protections for free expression, while respecting a trademark owner's right to prevent unauthorized use of its mark and the public's interest in avoiding confusion.

In enacting this legislation, the Committee intends and expects that courts will continue to apply the *Rogers* standard to cabin the reach of the Lanham Act in cases involving expressive works. The Committee believes that the adoption by a court of a test that departs from *Rogers*, including any that might require a court to engage in fact-intensive inquiries and pass judgment on a creator's "artistic motives" in order to evaluate Lanham Act claims in the expressive-works context would be contrary to the Congressional understanding of how the Lanham Act should properly operate to protect important First Amendment considerations, and upon which the Committee is relying in clarifying the standard for assessing irreparable harm when considering injunctive relief.

U.S. GOVERNMENT PRINTING OFFICE: 2023

EXHIBIT 34

¹ Due to the number of Defendants identified in Schedule "A" to the Complaint, the attached Schedule "C" does not set forth all of the evidence gathered for each Defendant. The declarant nevertheless certifies that similar evidence was obtained and reviewed for each and every Defendant identified in Schedule "A." This comprehensive list of evidence can be immediately provided to the Court under seal upon request.

Exhibit 35

MIDDLE DISTRICT OF FLORIDA LOCAL RULES

(d) **FAILURE TO ACT TIMELY.** Failure to comply with a deadline in this rule can result in dismissal of the claim or action without notice and without prejudice.

Rule 1.11 Filing Under Seal in a Civil Action

(a) **PUBLIC RIGHT OF ACCESS.** Because constitutional law and common law afford the public a qualified right of access to an item filed in connection with the adjudication of a claim or defense, sealing is unavailable absent a compelling justification. Sealing is not authorized by a confidentiality agreement, a protective order, a designation of confidentiality, or a stipulation.

(b) **FILING UNDER SEAL IF AUTHORIZED BY A STATUTE, RULE, OR ORDER.** If filing under seal is authorized by a statute, rule, or order, a motion for leave to file under seal:

- (1) must include in the title "Motion to Seal Under [Statute, Rule, or Order]";
- (2) must cite the statute, rule, or order authorizing the seal;
- (3) must describe the item submitted for sealing;
- (4) must establish that the item submitted for sealing is within the statute, rule, or order;
- (5) must propose a duration of the seal;
- (6) must state the name, mailing address, email address, and telephone number of the person authorized to retrieve a sealed, tangible item; but
- (7) must not include the item proposed for sealing.

An order sealing an item under this section must state the reason the seal is required and must identify the statute, rule, or order authorizing the seal.

EXHIBIT 36



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1711. JOINT STATEMENT -- PART G. EX PARTE SEIZURES

G. EX PARTE SEIZURES

The proposed draft amends 15 U.S.C. 1116 by adding a new subsection (d), which explicitly authorizes the Federal courts, in counterfeiting (sic) cases and in certain circumstances, to grant seizures of goods and related materials on an ex parte basis. Subsection (d) represents a compromise between the House and Senate provisions on this question.

The purpose of the ex parte seizure provision is to provide victims of trademark counterfeiting with a means of ensuring that the courts are able to exercise their jurisdiction effectively in counterfeiting cases. Testimony before both the House and Senate Judiciary Committees established that many of those who deal in counterfeits make it a practice to destroy or transfer counterfeit merchandise when a day in court is on the horizon. The ex parte seizure procedure is intended to thwart this bad faith tactic, while ensuring ample procedural protections for persons against whom such orders are issued. In essence, both the Senate and House bills permitted issuance of an ex parte seizure order if the applicant could show that the defendant would not comply with a lesser court order, such as a temporary restraining order, and that there was no means of protecting the court's authority other than to seize the property in question on an ex parte basis.

As proposed subsection (d)(1) makes clear, this provision is directed solely at the seizure of goods in trademark counterfeiting cases--that is, in cases involving the use of counterfeit mark in connection with the "sale, offering for sale, or distribution" of goods or services. Neither the House nor the Senate has studied the use of ex parte seizures in trademark infringement cases involving violations less egregious than counterfeiting, or in other civil cases, such as lawsuits involving copyright infringement or patent infringement. While the compromise bill therefore does not address ex parte seizures in other civil cases, such as trademark cases not involving counterfeits, the sponsors believe that in any ex parte seizure, the courts should bear in mind the policy concerns that lie behind the provisions of this bill and the need to provide procedural protections to persons against whom such seizures are ordered.

The procedures detailed in this section are largely derived from the existing requirements of rule 65 of the Federal Rules of Civil Procedure. Those requirements have been modified in certain respects to conform them to the circumstances peculiar to seizures on a ex parte basis. Except where the provisions of rule 65 are inconsistent with the requirements of this act, however, they will continue to apply, as will traditional principles of equity.

Proposed subsection (d)(1)(A) lists the items that may be confiscated during an ex parte seizure: "goods and counterfeit marks" involved in the described violation, "the means of making such marks," such as plates or molds, and "records documenting the manufacture, sale, or receipt of things involved in such violation." This list is derived from similar provisions in the Senate and House bills.

Proposed subsection 1116(d)(2). This subsection is based on comparable provisions in both S. 875 and H.R. 6071. It provides that an applicant for an ex parte seizure in a counterfeiting case must first provide such notice as is reasonable under the circumstances to the U.S. Attorney for the district in which the order is sought. The compromise provision follows the House draft, with two changes (sic). First, the phrase "timely notice" has been replaced with the phrase "such notice as is reasonable under the circumstances." This amendment is intended to emphasize that the amount and type of notice provided to the U.S. Attorney will need to be determined according to the particular circumstances of a case.

The second change from the House bill is that the compromise provision specifically provides that the court may deny an application for an ex parte seizure order if the U.S. attorney shows that the public interest in a potential prosecution so requires. This addition is intended to make explicit the clear intent of both S. 875 and H.R. 6071. The sponsors intend that whenever practicable, the views of the U.S. Attorney should be sought by the court.

Proposed subsection 1116(d)(3). This subsection lays out the technical requirements for issuance of an ex parte seizure order under this bill. Under this provision, an applicant will need to supply the court with an affidavit or verified complaint containing information supporting the issuance of an ex parte seizure order, and other information specified in proposed subsection (d)(5).

In an ex parte proceeding, the court will have no choice but to rely on the representations of the applicant. For that reason, the court should rely, whenever possible, on statements of fact based on the personal knowledge of an affiant. For example, if an individual employee of a company has personal knowledge of relevant facts, the company should submit an affidavit from that individual, rather than relying on the information and belief of the company's counsel.

Of course, in some instances the court may consider allegations based on hearsay. For example, if an attorney has obtained information from a confidential source whose identity cannot be revealed publicly, the court may accept hearsay in an affidavit or verified complaint. See generally C. Wright and A. Miller, *Federal Practice and Procedure* (civil) section 2952, at 514-16 (1973).

Proposed subsection (d)(4). This subsection is the heart of the ex parte seizure provisions. It lays out the two basic requirements for issuance of an ex parte seizure order. First, provision by the applicant of a bond to ensure that the defendant will be made whole if the seizure should prove to have been wrongful; and second, an adequate showing of the facts that justify issuance of an order. These provisions will ensure that the rights of defendants under the due process clause are fully respected in ex parte seizures under this act.

Proposed subsection (d)(4)(A). The provision of a bond is one of the critical procedural protections designed to ensure that the defendant's rights are adequately protected during the course of an ex parte seizure. In setting the amount of security, courts should err on the side of caution--that is, toward larger bonds--in light of the need to protect the unrepresented defendant, and to ensure that the defendant will have an effective remedy if he or she is the victim of a wrongful seizure. Proposed subsection (d)(4)(B). This provision details the findings that a court must make in order to issue an ex parte seizure order under this section. The compromise version draws upon both proposed subsection (d)(4) of the House bill and proposed subsection (f)(4) of the Senate bill.

Under this subsection, the court must find that it "clearly appears from specific facts" that the listed circumstances exist. The quoted language is taken from rule 65 of the Federal Rules of Civil Procedure, and the sponsors intend the same standard of proof applicable under that rule to be applicable in connection with this subsection.

Proposed subsection 1116(d)(4)(B)(i). The first required finding is taken from both the Senate and House bills. The applicant must show that an order less drastic than an ex parte seizure would be inadequate. Thus, the applicant must establish that a temporary restraining order on notice to the defendant, or an ex parte temporary restraining order, would not be adequate to achieve the purposes of the Lanham Act. This provision simply codifies the traditional equitable principle that the court should use the least intrusive remedy that will be effective under the circumstances.

Proposed subsection 1116(d)(4)(B)(ii). The second required finding is that the applicant has been published in the relevant

Proposed subsection 1116(d)(4)(B)(i). The second required finding is that the applicant not have publicized the requested seizure. The reason for this provision is that when a private applicant obtains an order directing law enforcement officials to seize materials from an unrepresented defendant, the applicant should not be permitted to take advantage of the surprise character of the seizure to un-[H 12081] fairly injure the reputation of the defendant. For example, it would be highly unfair to a defendant who has been given no advance notice of a seizure if the applicant were to alert the press to the upcoming seizure in an effort to create damaging publicity about the defendant. This provision therefore requires a party seeking an ex parte seizure to certify to the court that it has not publicized the requested seizure. Of course, the sponsors appreciate the first amendment principles that are implicated by this provision, and it should be interpreted consistently with those principles.

Proposed subsection (d)(4)(B)(iii). The third required finding is that the applicant is likely to succeed in showing that the defendant used a counterfeit mark in connection with the sale, offering for sale, or distribution of goods or services. This provision does not require any showing about the defendant's state of mind; it simply requires the applicant to make an adequate showing that the marks in which the defendant is commercially dealing are counterfeit.

Proposed subsection (d)(4)(B)(iv). The fourth required finding, derived from both the Senate and House bills, is that an "immediate and irreparable injury" will occur if a seizure is not ordered. This will not ordinarily be a difficult showing in a counterfeiting case. If the mark in question is likely to be found to be counterfeit, then the applicant will be ordinary be able to show irreparable harm that the goods are likely to be distributed if their seizure is not ordered. The Courts have repeatedly held that the distribution of infringing goods constitutes irreparable injury sufficient to order preliminary relief. See, for example, *In Re Vuitton et Fils S.A.*, 606 F.2d 1, 4 (2d Cir. 1979); *Helene Curtis Industries Inc. v. Church & Dwight Co.*, 560 F.2d 1325, 1332-33 (7th Cir. 1977), cert. denied, 434 U.S. 1070 (1978); *Omega Importing v. Petri-Kine Camera Co.*, 451 F.2d 1190, 1195 (2d Cir. 1971). Since the marks at issue here are not merely infringing but counterfeit marks, this conclusion will be still more easily reached.

Proposed subsection (d)(4)(b)(v). The fifth required finding is that the matter to be seized will be located at the place identified in this application. This provision, too, is derived from similar provisions in both the House and Senate bills. As the House report made clear, it may be difficult for the applicant to identify precisely where the goods or materials in question are located. The courts should thus be flexible in applying this requirement, but should require as great a degree of specificity as is possible under the circumstances, and should not grant orders, for example, permitting seizure to take place "anywhere in downtown Washington, DC."

Proposed subsection (d)(4)(b)(vi). The sixth required finding is that "the harm to the applicant of denying the application outweighs the harm to the legitimate interest of the person against whom such seizure would be ordered of granting the application." In cases in which the other listed requirement are satisfied, the sponsors do not anticipate that this showing will be a difficult one. The hardship to a plaintiff caused by the distribution of goods bearing counterfeit marks will usually be great; a defendant's legitimate interest in retaining counterfeits, which he or she would hide or destroy if notified of the suit, will normally be minimal. Cf. *Atari, Inc. v. North American Phillips Corp.*, 672 F.2d 607, 620 (7th Cir.), cert. denied, 103 S. Ct. 176 (1982); *Corning Glass Works v. Jeannette Glass Co.*, 308 F. Supp. 1321, 1328 (S.D.N.Y. 1970), aff'd, 432 F.2d 784 (2d Cir. 1970).

Proposed subsection (d)(4)(B)(vii). This provision is the key to obtaining an ex parte seizure order under this act. Its language is adapted from the comparable Senate and House provisions. Both of those provisions required, in essence, that the applicant show that if he or she were to proceed on notice to the defendant, the defendant or persons associated with the defendant would destroy, transfer, or hide the materials in question, or otherwise make them inaccessible to the court's jurisdiction. The proof relevant to this finding will, of course, often overlap with that for the first finding above.

The compromise draft requires that the court find that "the person against whom the seizure would be ordered, or persons acting in concert with such person, would destroy, move, hide, or otherwise make such matter inaccessible to the court, if the applicant were to proceed on notice to such a person." The most compelling proof on this point would be evidence that the defendant had acted in bad faith towards the judicial process in the past. A court may, however, consider any other evidence relevant to this determination. As used in this provision, the term "persons acting in concert" with the defendant means persons acting under the direction of, or at the request of, the defendant.

The sponsors wish to emphasize that ex parte seizures are to be ordered only as a last resort. It would not be appropriate to order such a seizure against a reputable merchant, absent unusual circumstances--such as when the applicant can make a particularized showing that the merchant would be likely to defy a court order to maintain the status quo. A reputable businessperson would not be likely to conceal or destroy evidence when notified of a pending lawsuit, and the issuance of an ex parte seizure order against such a person would therefore be wholly inappropriate, absent the unusual circumstances just mentioned. Rather, the sponsors believe that ex parte seizures are a necessary tool to thwart the bad faith efforts of fly by night defendants to evade the jurisdiction of the courts.

The sponsors note that three provisions of H.R. 6071 concerning ex parte seizures have been omitted in the compromise draft. The first is the provision in proposed section (d)(1)(A) of H.R. 6071 that an ex parte seizure order may be issued only if the defendant "knew or should have known" that the items in question were counterfeit. The compromise draft follows the Senate bill on this point, see section (f)(4) of S. 875, for two reasons. The first is set forth in the Senate Report 98-526, *supra* at 17. The second is that the sponsors believe that they should have known standard was in essence a negligence standard, and thus was inconsistent with the intention to authorize ex parte seizures only when the defendant will act in bad faith to avoid the court's jurisdiction.

The second significant omission from the House bill is that it is required that the applicant for an ex parte seizure show that the public interest would not be seriously adversely affected by granting the application. If the other requirements for an ex parte seizure have been met, the U.S. Attorney has been duly notified of the pending seizure and the court has considered whether the public interest in a potential prosecution requires denial of the application, the sponsors believe that the issue of the public interest will already have been resolved.

The third major change from the House bill is that the provisions concerning postseizure document discovery have been considerably simplified. The sponsors believe that the courts will be able to devise appropriate discovery procedures under the circumstances of each case consistent with the statutory guidance provided by proposed section (d)(7) of this act, and its explanation herein.

Proposed subsection (d)(5). This subsection sets out the information that must be included in an ex parte seizure order. Subsection (d)(5)(B) requires the applicant to provide a "particular description of the matter to be seized." Here too, the courts should require the greatest specificity that is possible under the circumstances, but should recognize that circumstances may often make it impossible to list in detail every item that is to be seized.

Under proposed subsection (d)(5)(C), the court must indicate the period during which the seizure order is to be carried out--a period that may not be longer than 7 days. Under proposed subsection (d)(5)(E), the court should set a date for a post-seizure hearing, at a time to be calculated in accordance with proposed subsection (d)(10). Service of the order on the defendant just before execution of the seizure, pursuant to subsection (d)(9), will constitute notice to the defendant of the upcoming hearing. [H 12082]

Proposed subsection (d)(6). This provision directs the court to take appropriate action to protect the defendant from publicity generated by the plaintiff about the seizure of the defendant's goods. Because the unfairness of publicizing a seizure order obtained without the defendant's knowledge forms the basis for limiting the plaintiff's efforts to publicize the seizure, the need for protection will primarily exist before and during the seizure. The use of the term "appropriate" is designed to ensure that any action taken by the court will be consistent with the first amendment.

Proposed subsection (d)(7). This provision requires all materials seized in an ex parte seizure order under this section to be placed in the custody of the courts. Under proposed subsection (d)(1), the materials seized may include business records. The sponsors recognize that the seizure of such records poses particularly difficult issues since such documents may contain sensitive business information. If any records have been seized, therefore, the court should enter an appropriate protective order with respect to discovery of the records. In seeking to protect any privileged information that may be contained in the seized records, the courts should employ whatever procedures are appropriate under the circumstances of the case at hand. The sponsors believe that three procedural devices in particular are worthy of special consideration in this regard.

The first is the use of a third party, chosen by the court or by agreement of all concerned, who can examine the records in question and extract the needed information without revealing privileged matter. *See, e.g., Battle Creek Equipment Co. v. Roberts Manufacturing Co.*, 90 F.R.D. 85 (W.D. Mich. 1981); *Triangle Manufacturing Co. v. Paramount Bag Manufacturing Co.*, 35 F.R.D. 540 (S.D.N.Y. 1964); F.R.Civ.P. 53 (appointment of special masters). The second is in camera inspection of the key documents. *See Altech Industries, Inc. v. Al Tech Specialty Steel Corp.*, 528 F. Supp. 521 (D.Del. 1981). Should the court find that these procedures are inappropriate or not fully satisfactory, a protective order may issue permitting counsel, but not the litigants, to have access to certain information. *See, e.g., Federal Open Market Committee v. Merrill*, 443 U.S. 340, 362 n.24 (1979); *Federal Trade Commission v. Exxon Corp.*, 636 F.2d 1336, 1349-51 (D.C. Cir. 1980); *Chesa International Ltd. v. Fashion Associates*, 425 F. Supp. 234 (S.D.N.Y.), *aff'd*, 573 F.2d 1288 (2d Cir. 1977). In some instances it may be appropriate to limit disclosure of certain documents to a party's outside counsel. *See, e.g., Federal Trade Commission v. Exxon*, *supra*. Needless to say, a solution to the problem of protecting privileged business information from improper disclosure will need to be tailored to the circumstances of each case.

Proposed subsection (d)(8). Like both the Senate and House bills, the compromise version provides that ex parte seizure orders under this section shall be sealed until the defendant has had an opportunity to contest the order. It also provides that once the seizure has taken place the defendant should of course be given an opportunity to see the seizure order and supporting materials.

Proposed subsection (d)(9). As did both S. 875 and H.R. 6071, the compromise draft provides that a U.S. Marshal or other law enforcement official shall carry out ex parte seizure orders under this act. When possible, a U.S. Marshal should carry out the seizures, but other law enforcement officials may perform seizures under this section if the U.S. Marshal is unable to do so in an expeditious manner.

The compromise bill also provides that the court should issue appropriate orders to ensure that trade secrets or other confidential data are not improperly disclosed during the course of the seizure. In particular the provision authorizes the court, when appropriate, to restrict the access of the applicant or its agents or employees to such information during the course of the seizure.

In preparing such an order, the court should keep in mind two competing considerations. The first is that the law enforcement official who carries out the order may not be sufficiently familiar with the goods or services in question to be able to determine what materials or documents should be seized. For that reason, it may be desirable for the court to permit a representative of the applicant, such as its counsel, to accompany the U.S. Marshal to assist in making these determinations. On the other hand, the purpose of the ex parte seizure is to protect materials from destruction or concealment; it is not to permit the plaintiff to bypass the normal discovery process. If an applicant is permitted unlimited access to the defendant's documents during a seizure, later protective orders issued during the discovery process may be of little value.

The sponsors believe that the courts can reconcile these two goals by issuing appropriate orders, based on all the circumstances of the case, that will provide the law enforcement officials with sufficient information to carry out the seizure while not jeopardizing the operation of the normal discovery process or the confidentiality of the defendant's business records and other materials. The act leaves to the sound discretion of the court the determination of how best to achieve these goals. One preferred method would be for the court to ask the applicant's counsel, whether or not he or she accompanies the law enforcement officials who execute the seizure, to provide the officials with a "checklist" of matters to be seized and with other needed information.

The compromise draft does not include the provision in proposed subsection (d)(10) of the House bill calling for application of certain procedures under the Federal Rules of Criminal Procedure. The sponsors determined that the application of these complex rules might needlessly complicate ex parte seizures under this act. However, the courts are free to employ appropriate procedures to accomplish the general purposes of the omitted House provision.

Proposed subsection (d)(10). This provision requires the court to hold a notice hearing on the propriety of the seizure order. The defendant will have received notice of the hearing by service of the seizure order. The hearing may be waived if all parties agree.

The hearing must be held no sooner than 10 days after issuance of the seizure order, unless the parties agree to hold it sooner, and no later than 15 days, after the issuance of the order. The flexibility of the hearing date is intended to accommodate the 7-day period after issuance of the order during which the seizure may be executed.

Of course, either party may request a delay in the hearing. The plaintiff must show good cause for a continuance, since at this point in the proceedings the hardship is upon the defendant whose goods have been seized. For the same reason, it is not necessary for the defendant to show cause for a continuance.

At the hearing, the plaintiff will have the burden of showing that the seizure order was justified and that it continues to be justifiable to hold the defendant's goods or other materials. In many instances there may be no significant new evidence on this issue, and the plaintiff's proof may simply consist of the same evidence presented at the ex parte hearing, along with proof that those facts have not changed. If the plaintiff is unable to show that continuation of the seizure order is justified, however, the seizure order should be dissolved or modified appropriately.

Of course, the court has the power to retain goods that are proven to be counterfeit. If the defendant does not contest this issue, the court should deal with the goods pursuant to 15 U.S.C. 1118.

Paragraph (B) of this subsection permits the courts to modify normal discovery time limits, if necessary to accommodate the expedited hearing schedule. This provision follows similar language in both the Senate and the House bills.

Proposed subsection (d)(11). The sponsors recognize that ex parte seizure orders are an extraordinary remedy, and that a person that is subject to a wrongful ex parte seizure should be fully compensated by the party who obtained the seizure order.

[H 12083] A court should award such a victim all appropriate damages, including compensation for lost goods or materials, damage to the defendant's good will, and all other elements of actual damage. For example, if a merchant were to obtain a seizure order in order to harass a legitimate competitor and to accrue additional business for itself, the court should award damages based on the applicant's unjust enrichment. Indeed, whenever a seizure order is obtained in bad faith, the applicant should be required to pay all appropriate damages, including such punitive damages as the trier of fact finds appropriate. In addition, unless the court finds extenuating circumstances, a victim of a wrongful seizure should be awarded a reasonable attorney's fee.

The term "wrongful seizure" was intentionally left undefined in both the Senate and House bills, in the belief that the courts will best be able to interpret this phrase under the circumstances of each individual case, and in light of precedents under rule 65 of the Federal rules of Civil Procedure, (sic) However, a few rules of thumb can be outlined. The first is that the mere fact that a few legitimate items may have been seized does not make the seizure as a whole wrongful; otherwise, a counterfeiter could ensure that any seizure of its counterfeit merchandise would be "wrongful" simply by mingling a few genuine items with his or her inventory of fakes. The second is that a seizure will be considered wrongful if the applicant acted in bad faith in seeking it. For example, it would obviously constitute bad faith for an applicant to seek a seizure order in an effort to prevent the sale of legitimate merchandise at discount prices. Similarly, it would constitute bad faith for an applicant deliberately to defy a court order limiting its access to confidential documents seized from the defendant.

Third, a seizure must be considered "wrongful" if the matter seized is legitimate, noninfringing merchandise. In such a case, even if the plaintiff acted in good faith, the defendant should be compensated for his or her losses caused by the plaintiff's use of an ex parte process. Beyond these principles, the act leaves the definition of "wrongful seizure" to case-by-case interpretation in light of rule 65 and other precedents.

The compromise bill adopts the provision of the Senate bill with respect to awards of prejudgment interest on damages for wrongful seizures. See proposed section 2320(d)(2) of S. 875. The purpose of this provision, and of the comparable provision in proposed 15 U.S.C. 1117(b), is to ensure that an injured party is made whole by the relief that he or she is granted, and to discourage dilatory tactics in litigation under this act.

EXHIBIT 37

(b) INCONTESTABILITY; DEFENSES

To the extent that the right to use the registered mark has become incontestable under section 1065 of this title, the registration shall be conclusive evidence of the validity of the registered mark and of the registration of the mark, of the registrant's ownership of the mark, and of the registrant's exclusive right to use the registered mark in commerce. Such conclusive evidence shall relate to the exclusive right to use the mark on or in connection with the goods or services specified in the affidavit filed under the provisions of section 1065 of this title, or in the renewal application filed under the provisions of section 1059 of this title if the goods or services specified in the renewal are fewer in number, subject to any conditions or limitations in the registration or in such affidavit or renewal application. Such conclusive evidence of the right to use the registered mark shall be subject to proof of infringement as defined in section 1114 of this title, and shall be subject to the following defenses or defects:

- (1) That the registration or the incontestable right to use the mark was obtained fraudulently; or
- (2) That the mark has been abandoned by the registrant; or
- (3) That the registered mark is being used by or with the permission of the registrant or a person in privity with the registrant, so as to misrepresent the source of the goods or services on or in connection with which the mark is used; or
- (4) That the use of the name, term, or device charged to be an infringement is a use, otherwise than as a mark, of the party's individual name in his own business, or of the individual name of anyone in privity with such party, or of a term or device which is descriptive of and used fairly and in good faith only to describe the goods or services of such party, or their geographic origin; or
- (5) That the mark whose use by a party is charged as an infringement was adopted without knowledge of the registrant's prior use and has been continuously used by such party or those in privity with him from a date prior to (A) the date of constructive use of the mark established pursuant to section 1057(c) of this title, (B) the registration of the mark under this chapter if the application for registration is filed before the effective date of the Trademark Law Revision Act of 1988, or (C) publication of the registered mark under subsection (c) of section 1062 of this title: Provided, however, That this defense or defect shall apply only for the area in which such continuous prior use is proved; or
- (6) That the mark whose use is charged as an infringement was registered and used prior to the registration under this chapter or publication under subsection (c) of section 1062 of this title of the registered mark of the registrant, and not abandoned: Provided, however, That this defense or defect shall apply only for the area in which the mark was used prior to such registration or such publication of the registrant's mark; or

EXHIBIT 38

Deliver to United States, 33132

Ships from Martin, TN

[View shop policies](#)

Meet your seller



Carl

Owner of [Devlopptreasure](#)

Message Carl

This seller usually responds within a few hours.

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23



EXHIBIT 39

and location of the Defendants identified in Schedule "A," including all known contact information including any and all known aliases and associated e-mail addresses; (iii) an accounting of the total funds restrained and identities of the financial account(s) and sub-account(s) for which the restrained funds are related.

(5) Any Defendant or Third Party Provider subject to this Order may petition the Court to modify the asset restraint set out in this Order.

(6) The Clerk of the Court is directed to issue a single original summons in the name of "Hall of Fame Sports Memorabilia and all other Defendants identified in Schedule 'A' of the Complaint" that shall apply to all Defendants. The combination of providing notice via electronic publication and e-mail, along with any notice that Defendants receive from payment processors, shall constitute notice reasonably calculated under all circumstances to apprise Defendants of the pendency of the action and afford them the opportunity to present their objections.

(7) This Order shall apply to the Seller IDs associated ecommerce stores and websites, and any other seller identification names, e-commerce stores, domain names, websites, or financial accounts which are being used by Defendants for the purpose of counterfeiting and infringing the Kareem Abdul-Jabbar Marks at issue in this action and/or unfairly competing with Plaintiff.

(8) This Order shall remain in effect for ____ weeks from the date of entry of this Order and expires on _____, 2021 at ____ AM/PM.

(9) Pursuant to 15 U.S.C. § 1116(d)(5)(D) and Federal Rule of Civil Procedure 65(c), the Plaintiff shall post a bond in the amount of Ten Thousand Dollars

EXHIBIT 40

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and location of the Defendants identified in Schedule "A," including all known contact information including any and all known aliases and associated e-mail addresses; (iii) an accounting of the total funds restrained and identities of the financial account(s) and sub account(s) for which the restrained funds are related.

(5) Any Defendant or Third Party Provider subject to this Order may petition the Court to modify the asset restraint set out in this Order.

(6) The Clerk of the Court is directed to issue a single original summons in the name of "Hall of Fame Sports Memorabilia and all other Defendants identified in Schedule 'A' of the Complaint" that shall apply to all Defendants. The combination of providing notice via electronic publication and e-mail, along with any notice that Defendants receive from payment processors, shall constitute notice reasonably calculated under all circumstances to apprise Defendants of the pendency of the action and afford them the opportunity to present their objections.

(7) This Order shall apply to the Seller IDs associated ecommerce stores and websites, and any other seller identification names, e-commerce stores, domain names, websites, or financial accounts which are being used by Defendants for the purpose of counterfeiting and infringing the Kareem Abdul Jabbar Marks at issue in this action and/or unfairly competing with Plaintiff.

(8) This Order shall remain in effect for 2 weeks from the date of entry of this Order and expires on June 22, 2021 at 5:20 PM.

(9) Pursuant to 15 U.S.C. § 1116(d)(5)(D) and Federal Rule of Civil Procedure 65(c), the Plaintiff shall post a bond in the amount of Ten Thousand Dollars

and Zero Cents (\$10,000.00), as payment of damages to which the Defendants may be entitled for a wrongful injunction or restraint, during the pendency of this action, or until further Order of the Court. In the Court's discretion, the bond may be subject to increase should an application be made in the interest of justice.

(10) After the Plaintiff's counsel has received confirmation from the financial institutions regarding the funds restrained as directed herein, the Plaintiff shall serve copies of the Complaint, Application for Temporary Restraining Order, and this Order, on each Defendant by e-mail via their corresponding e-mail address and/or online contact form or other means of electronic contact provided on the Internet based e-commerce stores operating under the respective Seller IDs or by providing a copy of this Order by email to the marketplace platforms for each of the Seller IDs so that the registrar, or marketplace platform, in turn, notifies each of the Defendants of the Order, or by other means reasonably calculated to give notice which is permitted by the Court. In addition, the Plaintiff shall post copies of the Complaint, Application for Temporary Restraining Order, and this Order, as well as all other documents filed in this action on the website located at <http://www.aliexpress.com/shopping/itemDetail?spm=a261aa.91c.70101083.AAAAgahALewwAyZzE4vslRQgU3M=U> and shall provide the address to the website to the Defendants via e-mail/online contact form, and such notice so given shall be deemed good and sufficient service thereof. The Plaintiff shall continue to provide notice of these proceedings and copies of the documents on file in this matter to the Defendants by regularly updating the website located at _____.

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<https://www.dropbox.com/sh/6kpu2qsm4xn3u7/AA1BxythAE6wsAyZzE4vsIJ2Ga3d1-0>, or by other means reasonably calculated to give notice which is permitted by the Court.

(11) The Clerk shall file this Order under seal until further order of the Court.

(12) The Clerk shall email a copy of this Order to Plaintiff's counsel at r Guerra@brickellip.com promptly.

DONE AND ORDERED in Tampa, Florida this 8th day of June, 2021 at 5:20 PM.


VIRGINIA M. HERNANDEZ COVINGTON
UNITED STATES DISTRICT JUDGE

cc: counsel of record
Seal clerk

EXHIBIT 41

As far as active district court judges, since 2004, the Middle District of Florida now has [REDACTED] with [REDACTED] American [REDACTED] and [REDACTED] who [REDACTED] a Cuban-American woman, was appointed immediately after me. [REDACTED] whose family is from Colombia and Honduras. This diversity is important because, when somebody walks into the courtroom, we want them to know that our bench reflects our community. This comforts people and gives them confidence in our legal system.

Also, technology has made a huge difference for judges. Electronic filing through the Case Management/Electronic Case Files (CM/ECF) system changed our lives overnight. I can work from anywhere in the world, and I do. For somebody who travels the world teaching, you would think that I have to leave my docket, but I don't. I'm able to use CM/ECF to issue orders from wherever I might happen to be.

and did whatever we could to succeed.

Q. What's your favorite channel on Spotify?

A. Well I hate to say I love Andrea Bocelli's music, but I do. I love Latin music, too. Camila Cabello's *Havana*. She's got beautiful music. I love what's happened to Latin music today. Today you hear songs that reflect who I am—some words are sung in English and some words are in Spanish. I have a foot in each world, just like others in the Cuban-American community, and our music today reflects this.

Q. Obviously, you have many years left on the bench, but, when this chapter ends, what would you choose as a retirement song?

A. There isn't one song. When I have a senior judge ceremony, there's going to be Latin music. I can tell you that for sure. I'll have Cuban songs: "Cuando Salí de Cuba (When I Left Cuba)," "Guantanamera," and "Havana."

EXHIBIT 42

Evidence Cc

Page Title

Etsy - Checkout - Review

URL

<https://www.etsy.com/cart/4151869731/review>

Collection Date

Tue, 02 Feb 2021 11:09:58 UTC (US Department of Commerce / NIST authenticated timestamp)

Collected by

Chris Stavrou

IP Address**Browser Information****Digital Signature (SHA256 / PKCS#1v1.5)**

i5ViJiaAQy8Ni3k58JGpKAbmQbdp4kL4fhQL1I273Yo+1ceEB9mOPXh2PjqrQkwLDApOIcAFNvlf7tSiRGzykCJhnGXenR9uAl+h74SyNj;
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EXHIBIT 43



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ABOUT

The Law Office of L. Ford Banister II

Our international intellectual property law firm provides a full-range of services, including, but not limited to, trademark and copyright litigation, intellectual property protection, internet & domain name disputes and anti-counterfeiting enforcement.

WE ARE EXPERIENCED

We have dealt with more than a thousand trademark and copyright infringement cases. We have both defended and prosecuted multiparty trademark and copyright infringement cases and leverage our experience on both sides to our clients' benefit.

WE DELIVER RESULTS

We know the essence of international business. We are small in size but the result we could deliver for you will not be small. We are committed to create value for our clients.

WE ARE COST COMPETITIVE

Fees vary based on the difficulty of the case. Some cases may be accepted without an initial cash payment with our fee set as a percentage of the amount that is recovered/seized for you.

WE SERVE CLIENTS OF ALL SIZES

We serve individuals, small businesses and big companies on the stock market.

WE ARE CLIENT ORIENTED

We have staff members who can speak both Chinese and English. We value long-term relationships with clients.

WE HAVE AN INTERNATIONAL PERSPECTIVE

We have a strong international practice in trademark and copyright litigation and have an established network both in United States of America and China.



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ATTORNEYS

- **L. Ford Banister II**
- Michael Stanley
- Lydia Pittaway

L. Ford Banister II

Principal Attorney

Attorney L. Ford Banister II has an extensive experience in intellectual property law.

He has represented more than Five thousand trademark and copyright infringement cases. He has represented both plaintiff and defendant sides of the intellectual property infringement cases.

He has handled domain name dispute arbitration actions in jurisdictions around the world. He also has experience in identity theft and defamation litigation.

He has deep understanding of e-commerce business on Amazon, Wish, Walmart, Aliexpress, Alibaba, Ebay, DHgate et al. He has won many arbitration cases on behalf of his clients.

He has represented diverse clients from different countries.

BAR ADMISSIONS

New York

Federal District Court for Northern District of Illinois

EXHIBIT 44

⁴ Plaintiff's undersigned trial counsel resides in Hillsborough County as of September 2022, and the law firm recently opened an office in this District.

⁵ Indeed, Plaintiff is appreciative that the Court has been quickly reviewing Plaintiff's early motions (Dkt. 3, 4, 7, 8) and issuing orders (Dkt. 5, 9) in this matter.

EXHIBIT 45

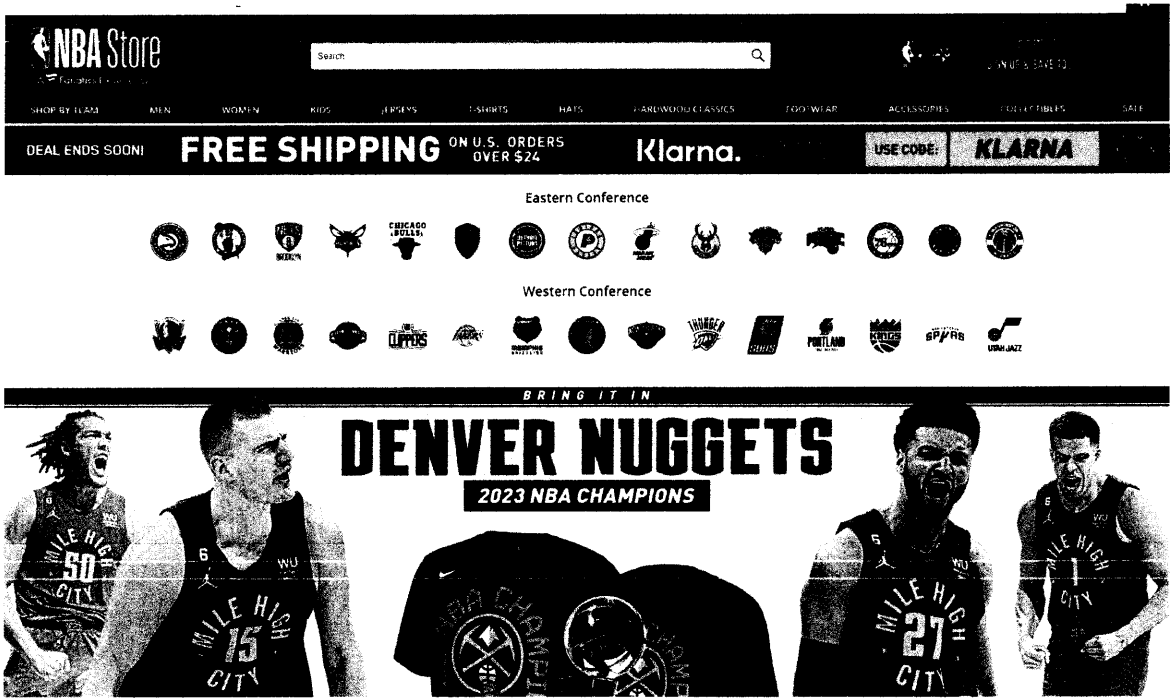


EXHIBIT 46

EXHIBIT 47

cards and collectibles priced with a total value of more than \$18 million.



beckettmedia.com

<https://www.beckettmedia.com/basketball/basketball...>

FREE Basketball Magazine with Basketball Card Price Guide #25

web **FREE Basketball Magazine with Basketball Card Price Guide #25.** Complete checklists and **pricing** for every important **basketball** card set from 1910 to present, including products featuring your favorite NBA, WNBA, amateur and foreign players. More than 340,000 individual cards and collectibles priced with a total value of more than \$6 million.

EXHIBIT 48

This item is sold out.



\$22.88

Kareem Abdul Jabar sports collector's plates
Devildogtreasure ★★★★★ Local seller

Highlights

Vintage

Ships from a small business in Tennessee

Description

Kareem Abdul Jabar sports collector's plates large 10" in diameter plate with no chips or cracks and ready for display

Meet your seller

Carl
Owner of [Devildogtreasure](#)
Following



EXHIBIT 49

AXI

Case 8:21-cv-01331-VMC-AEP

Evidence Collection Report

Page Title

AXI Case 8:21-cv-01331-VMC-AEP

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File Signatures

File Name

Case 8:21-cv-01331-VMC-AEP

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Case 8:21-cv-01331-VMC-AEP

Case 8:21-cv-01331-VMC-AEP

Case 8:21-cv-01331-VMC-AEP



Black and White Photo of a Person

Related Items

Black and White Photo of a Person

Black and White Photo of a Person

Black and White Photo of a Person

Black and White Photo of a Person

Black and White Photo of a Person

Black and White Photo of a Person

Black and White Photo of a Person

Black and White Photo of a Person

Black and White Photo of a Person

Related Items



Black and White Photo of a Person



Black and White Photo of a Person



Black and White Photo of a Person



Black and White Photo of a Person



Black and White Photo of a Person



Black and White Photo of a Person

Related Items



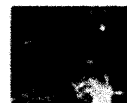
Black and White Photo of a Person



Black and White Photo of a Person



Black and White Photo of a Person



Black and White Photo of a Person



Black and White Photo of a Person



Black and White Photo of a Person

EXHIBIT 50

Case 8:21-cv-01331-VMC-AEP Document 1 Filed 06/01/21 Page 1 of 23 PageID 1

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA

CASE NO.:

AIN JEEM, INC.,

Plaintiff,

v.

THE INDIVIDUALS, PARTNERSHIPS
AND UNINCORPORATED
ASSOCIATIONS IDENTIFIED ON
SCHEDULE "A,"

Defendants.

COMPLAINT

Plaintiff AIN JEEM, INC. ("Ain Jeem" or "Plaintiff"), by and through undersigned counsel, hereby sues Defendants, the Individuals, Partnerships, and Unincorporated Associations identified in the caption, which are set forth on Schedule "A" hereto (collectively, the "Defendants"), and alleges as follows:

NATURE OF THE ACTION

1. Defendants are promoting, selling, offering for sale, and distributing goods using counterfeits and confusingly similar imitations of Ain Jeem's trademarks within this district through various Internet based e-commerce stores and fully interactive commercial Internet websites operating under the seller identification names and domain names set forth on Schedule "A" hereto (the "Seller IDs").

2. Like many other famous trademark owners, Plaintiff suffers ongoing

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daily and sustained violations of its trademark rights at the hands of counterfeiters and infringers, such as Defendants herein, who wrongfully reproduce and counterfeit Plaintiff's trademarks for the twin purposes of (i) duping and confusing the consuming public and (ii) earning substantial profits. The natural and intended byproduct of Defendants' actions is the erosion and destruction of the goodwill associated with Plaintiff's trademarks, as well as the destruction of the legitimate market sector in which it operates.

3. In order to combat the indivisible harm caused by the combined actions of Defendants and others engaging in similar conduct, Plaintiff has expended significant amounts of resources in connection with trademark enforcement efforts, including legal fees, investigative fees, and support mechanisms for law enforcement. The exponential growth of counterfeiting over the Internet, particularly through online marketplace platforms, has created an environment that requires companies, such as Plaintiff, to expend significant time and money across a wide spectrum of efforts in order to protect both consumers and itself from the negative effects of confusion and the erosion of the goodwill connected to Plaintiff's brand.

JURISDICTION AND VENUE

4. This is an action seeking damages and injunctive relief for trademark counterfeiting and infringement, false designation of origin under the Lanham Act, common law unfair competition; common law trademark infringement pursuant to 15 U.S.C. §§ 1114, 1116, 1121, 1125(a), and 1125(d), and The All Writs Act, 28 U.S.C. § 1651(a); 15 U.S.C. § 1051 *et seq.*

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5. This Court has subject matter jurisdiction pursuant to 15 U.S.C. §§ 1114 and 1125(a), 15 U.S.C. § 1121 and 28 U.S.C. §§ 1331 and 1338.

6. This Court has supplemental jurisdiction under 28 U.S.C. § 1367 over the state law claims, because the claims are so related to the trademark claims in this action, over which this Court has original jurisdiction, that they form part of the same case or controversy under Article III of the United States Constitution.

7. Defendants are subject to personal jurisdiction in this District because they direct business activities toward and conduct business with consumers throughout the United States, including within the State of Florida, through at least the Internet based e-commerce stores and fully interactive commercial Internet websites accessible in Florida and operating under the Seller IDs. Upon information and belief, Defendants infringe Plaintiff's trademarks in Florida by advertising, using, selling, promoting and distributing counterfeit trademark goods through such Internet based e-commerce stores and fully interactive commercial Internet websites.

8. Venue is proper in this District pursuant 28 U.S.C. § 1391 since Defendants are engaged in infringing activities and causing harm within the Florida by advertising, offering to sell, selling and/or shipping infringing products into this State. Defendants may be found in this District, as they are subject to personal jurisdiction herein.

THE PLAINTIFF

9. Plaintiff Ain Jeem, Inc. is a Delaware corporation with a principal place of business located in Newport Beach, California.

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10. Ain Jeem is an international licensing company which specializes in worldwide distribution of content, consumer products rights, and brand management. Ain Jeem is the owner of all rights, title, and interest in the mark "Kareem Abdul-Jabbar" and the following "KAR33M Logo" (collectively, the "Kareem Abdul-Jabbar Marks"):



11. The Kareem Abdul-Jabbar Marks are associated with Kareem Abdul-Jabbar, an American former collegiate and professional basketball player who played twenty seasons in the National Basketball Association ("NBA") for the Milwaukee Bucks and the Los Angeles Lakers, and dominated the game in the 1970s and early '80s.

12. During his career as a center, Kareem Abdul-Jabbar was a record six-time NBA Most Valuable Player ("MVP"), a record 19-time NBA All-Star, a 15-time All-NBA selection, and an 11-time NBA All-Defensive Team member. A member of six NBA championship teams as a player and two more as an assistant coach, Kareem Abdul-Jabbar twice was voted NBA Finals MVP. In 1996, he was honored as one of the 50 Greatest Players in NBA History.

13. After winning 71 consecutive basketball games on his high school team in New York City, Kareem Abdul-Jabbar was recruited by UCLA, where he played on three consecutive national championship teams and was a record three-time MVP

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of the NCAA Tournament. Drafted with the first overall pick by the Milwaukee Bucks franchise in the 1969 NBA draft, Kareem Abdul-Jabbar spent six seasons in Milwaukee. After leading the Bucks to its first NBA championship at age 24 in 1971, using his famous "skyhook" shot, he established himself as one of the league's top scorers.

14. In 1975, he was traded to the Lakers, with whom he played the final 14 seasons of his career and won five additional NBA championships. Over his 20-year NBA career, his teams succeeded in making the playoffs 18 times and got past the first round 14 times; his teams reached the NBA Finals on 10 occasions.

15. In 1984 he surpassed Wilt Chamberlain's career scoring total of 31,419 points. At the time of his retirement at age 42 in 1989, Kareem Abdul-Jabbar was the NBA's all-time leader in points scored (38,387), games played (1,560), minutes played (57,446), field goals made (15,837), field goal attempts (28,307), blocked shots (3,189), defensive rebounds (9,394), career wins (1,074), and personal fouls (4,657). He remains the all-time leader in points scored, field goals made, and career wins. He is ranked third all-time in both rebounds and blocked shots. In 2007, he was inducted into the National Collegiate Basketball Hall of Fame and was voted the greatest center of all time by ESPN. In 2008, ESPN named him the "greatest player in college basketball history," and in 2016, they named him the second-best player in NBA history.

16. Kareem Abdul-Jabbar is a global icon that changed the game of professional basketball. Since his stellar professional career both as a player and

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basketball coach, he has gone on to become a celebrated New York Times-bestselling author, actor, filmmaker, ambassador of education, and Time Magazine columnist. In 2012, Kareem Abdul-Jabbar was selected by Secretary of State Hillary Clinton to be a U.S. global cultural ambassador. In 2016, President Barack Obama awarded him the Presidential Medal of Freedom. After 50 years as an athlete and activist, he offers his perspectives as a nationally recognized speaker who regularly appears on the lecture circuit. Kareem Abdul-Jabbar has twice been named Columnist of the Year (in 2017 and 2018) by the Southern California Journalism Awards.

17. Goods bearing and reproducing the Kareem Abdul-Jabbar Mark are sold through authorized retailers throughout the United States, including within the State of Florida and this District.

18. Genuine and authorized products bearing and reproducing the Kareem Abdul-Jabbar Mark are widely legitimately advertised, promoted, and distributed by and through Ain Jeem and its authorized partners, including but not limited to the "KAR33M Official Store" at www.shop.kareemabduljabbar.com. Over the course of the past several years, visibility on the Internet, particularly via Internet search engines such as Google, Yahoo!, and Bing, has become increasingly important to Ain Jeem's overall marketing and consumer education efforts. Thus, Ain Jeem expends significant monetary resources on Internet marketing and consumer education, including search engine optimization ("SEO") strategies. Those strategies allow Ain Jeem and its authorized partners to educate consumers fairly and legitimately about the value associated with the Kareem Abdul-Jabbar brand.

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THE DEFENDANTS

19. Defendants are individuals and/or business entities of unknown makeup, the majority of whom, upon information and belief, either reside and/or operate in foreign jurisdictions, or redistribute products from the same or similar sources in those locations and/or ship their goods from the same or similar sources in those locations to shipping and fulfillment centers within the United States to redistribute their products from those locations. Defendants have the capacity to be sued pursuant to Federal Rule of Civil Procedure 17(b). Defendants target their business activities towards consumers throughout the United States, including within Florida through the operation of Internet based e-commerce stores via Internet marketplace websites under the Seller IDs.

20. Defendants conduct business in the State of Florida. Defendants that are non-residents of the State of Florida availed themselves of the privilege extended by law to non-residents and others to operate, conduct, engage in, or carry on a business or business venture in the State of Florida, or to have an office or agency in Florida. Based on the foregoing, it is appropriate in this matter for all domestic Defendants that are non-residents of the State of Florida to be served with process through substitute service on the Secretary of State of Florida pursuant to Fla. Stat. §§ 48.161 and 48.181.

21. Defendants are the past and present controlling forces behind the sale of products under counterfeits and infringements of Plaintiff's trademarks as described herein using at least the Seller IDs.

22. Upon information and belief, Defendants directly engage in unfair

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competition by advertising, offering for sale, and selling goods bearing one or more of Plaintiff's trademarks to consumers within the United States and this District through Internet based e-commerce stores using, at least, the Seller IDs and additional seller identification aliases and domain names not yet known to Plaintiff. Defendants have purposefully directed some portion of their illegal activities towards consumers in the State of Florida through the advertisement, offer to sell, sale, and/or shipment of counterfeit and infringing goods into the State.

23. Defendants have registered, established or purchased, and maintained their Seller IDs. Upon information and belief, Defendants may have engaged in fraudulent conduct with respect to the registration of the Seller IDs.

24. Upon information and belief, some Defendants have registered and/or maintained their Seller IDs for the sole purpose of engaging in illegal counterfeiting activities.

25. Upon information and belief, Defendants will continue to register or acquire new seller identification aliases and domain names for the purpose of selling and offering for sale goods bearing counterfeit and confusingly similar imitations and unauthorized reproductions or derivative works of one or more of Plaintiff's trademarks unless preliminarily and permanently enjoined.

26. Defendants use their Internet-based businesses in order to infringe the intellectual property rights of Plaintiff.

27. Defendants' business names, *i.e.*, the Seller IDs, associated payment accounts, and any other alias seller identification aliases and domain names used in

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connection with the sale of counterfeit and infringing goods bearing one or more of Plaintiff's trademarks are essential components of Defendants' online activities and are one of the means by which Defendants further their counterfeiting and infringement scheme and cause harm to Plaintiff. Moreover, Defendants are using Plaintiff's famous trademarks to drive Internet consumer traffic to their e-commerce stores operating under the Seller IDs, thereby increasing the value of the Seller IDs and decreasing the size and value of Plaintiff's legitimate marketplace and intellectual property rights at Plaintiff's expense.

GENERAL FACTUAL ALLEGATIONS

Ain Jeem's Intellectual Property Rights

28. Plaintiff is the owner of the following trademark, which is valid and registered on the Principal Register of the United States Patent and Trademark Office (the "Kareem Abdul-Jabbar Standard Character Mark"):

Trademark	Registration Number	Registration Date	First Use Date	Class / Goods
Kareem Abdul-Jabbar	2,074,575	06/24/1997	01/25/1990	IC 025: athletic and athletically inspired clothing in the nature of T-shirts, and socks

The foregoing registration for the Kareem Abdul-Jabbar Standard Character Mark constitutes presumptive evidence of its ownership and validity. A true and correct copy of the federal registration for the Kareem Abdul-Jabbar Mark is attached hereto as **Exhibit 1**.

28. Plaintiff is also the owner of the following logo:



(the "KAR33M Logo"). Collectively the Kareem Abdul-Jabbar Standard Character Mark and KAR33M Logo are referred to herein as the "Kareem Abdul-Jabbar Marks.

29. The Kareem Abdul-Jabbar Marks are used in connection with the design, marketing, and distribution of high-quality goods in at least the category identified above.

30. Long before Defendants began their infringing activities complained of herein, the Kareem Abdul-Jabbar Marks have been used by Plaintiff in interstate commerce to identify and distinguish Mr. Kareem Abdul-Jabbar's career and associated merchandise for an extended period.

31. The Kareem Abdul-Jabbar Marks are well-known and famous and have been for many years. Plaintiff has expended substantial time, money, and other resources developing, advertising, and otherwise promoting the Kareem Abdul-Jabbar Marks and products bearing the Kareem Abdul-Jabbar Marks. The Kareem Abdul-Jabbar Marks qualify as famous marks as that term is used in 15 U.S.C. §1125(c)(1).

32. Plaintiff has extensively used, advertised, and promoted the Kareem Abdul-Jabbar Marks in the United States in association with its merchandise.

33. As a result of Plaintiff's efforts, members of the consuming public readily identify products and merchandise bearing or sold under the Kareem Abdul-Jabbar

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Marks as being high quality goods sponsored and approved by Plaintiff.

34. The Kareem Abdul-Jabbar Marks serve as a symbol of Plaintiff's quality, reputation, and goodwill and have never been abandoned.

Defendants' Counterfeiting and Infringing Conduct

35. Upon information and belief, Defendants are promoting and advertising, distributing, selling, and/or offering for sale counterfeit and infringing goods in interstate commerce using exact copies and confusingly similar copies of the Kareem Abdul-Jabbar Marks through at least the Internet based e-commerce stores operating under the Seller IDs (collectively, the "Counterfeit Goods"). Plaintiff has used the Kareem Abdul-Jabbar Marks extensively and continuously before Defendants began offering counterfeit and confusingly similar imitations of Plaintiff's merchandise.

36. Upon information and belief, Defendants' Counterfeit Goods are of a quality substantially and materially different than that of Plaintiff's genuine goods. Defendants, upon information and belief, are actively using, promoting and otherwise advertising, distributing, selling and/or offering for sale substantial quantities of their Counterfeit Goods with the knowledge and intent that such goods will be mistaken for the genuine high quality goods offered for sale by Plaintiff under the Kareem Abdul-Jabbar Marks despite Defendants' knowledge that they are without authority to use the Kareem Abdul-Jabbar Marks. The effect of Defendants' actions will cause confusion of consumers, at the time of initial interest, sale, and in the post-sale setting, who will believe Defendants' Counterfeit Goods are genuine goods originating from, associated with, or approved by Plaintiff.

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37. Defendants advertise their Counterfeit Goods for sale to the consuming public via e-commerce stores on Internet marketplace websites using at least the Seller IDs. In so advertising these goods, Defendants improperly and unlawfully use the Kareem Abdul-Jabbar Marks without Plaintiff's permission.

38. As part of their overall infringement and counterfeiting scheme, Defendants are, upon information and belief, employing and benefitting from substantially similar, advertising and marketing strategies based, in large measure, upon an illegal use of counterfeits and infringements of the Kareem Abdul-Jabbar Marks. Specifically, Defendants are using counterfeits and infringements of Plaintiff's famous Kareem Abdul-Jabbar Marks in order to make their e-commerce stores and websites selling illegal goods appear more relevant, authentic, and attractive to consumers searching for Plaintiff's related goods and information online. By their actions, Defendants are contributing to the creation and maintenance of an illegal marketplace operating in parallel to the legitimate marketplace for Plaintiff's genuine goods. Defendants are causing individual, concurrent and indivisible harm to Plaintiff and the consuming public by (i) depriving Plaintiff and other third parties of their right to fairly compete for space within search engine results and reducing the visibility of Plaintiff's genuine goods on the World Wide Web, (ii) causing an overall degradation of the goodwill associated with the Kareem Abdul-Jabbar Marks, and/or (iii) increasing Plaintiff's overall cost to market the Kareem Abdul-Jabbar Marks and educate consumers about its brand via the Internet.

39. Upon information and belief, Defendants are concurrently targeting their

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counterfeiting and infringing activities toward consumers and causing harm within this District and elsewhere throughout the United States. As a result, Defendants are defrauding Plaintiff and the consuming public for Defendants' own benefit.

40. Upon information and belief, at all times relevant hereto, Defendants in this action had full knowledge of Plaintiff's ownership of the Kareem Abdul-Jabbar Marks, including its exclusive right to use and license such intellectual property and the goodwill associated therewith.

41. Defendants' use of the Kareem Abdul-Jabbar Marks, including the promotion and advertisement, reproduction, distribution, sale and offering for sale of their Counterfeit Goods, is without Plaintiff's consent or authorization.

42. Defendants are engaging in the above-described illegal counterfeiting and infringing activities knowingly and intentionally or with reckless disregard or willful blindness to Plaintiff's rights for the purpose of trading on Plaintiff's goodwill and reputation. If Defendants' intentional counterfeiting and infringing activities are not preliminarily and permanently enjoined by this Court, Plaintiff and the consuming public will continue to be harmed.

43. Defendants' above identified infringing activities are likely to cause confusion, deception, and mistake in the minds of consumers before, during and after the time of purchase. Moreover, Defendants' wrongful conduct is likely to create a false impression and deceive customers, the public, and the trade into believing there is a connection or association between Plaintiff's genuine goods and Defendants' Counterfeit Goods, which there is not.

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44. Upon information and belief, Defendants' payment and financial accounts are being used by Defendants to accept, receive, and deposit profits from Defendants' trademark counterfeiting and infringing and unfairly competitive activities connected to their Seller IDs and any other seller identification aliases and domain names being used and/or controlled by them.

45. Further, upon information and belief, Defendants are likely to transfer or conceal their assets to avoid payment of any monetary judgment awarded to Plaintiff.

46. Plaintiff has no adequate remedy at law.

47. Plaintiff is suffering irreparable injury and has suffered substantial damages as a result of Defendants' unauthorized and wrongful use of the Kareem Abdul-Jabbar Marks.

48. The harm and damages sustained by Plaintiff have been directly and proximately caused by Defendants' wrongful reproduction, use, advertisement, promotion, offers to sell, and sale of their Counterfeit Goods.

**COUNT I -- TRADEMARK COUNTERFEITING AND INFRINGEMENT
PURSUANT TO § 32 OF THE LANHAM ACT (15 U.S.C. § 1114)**

49. Plaintiff hereby adopts and re-alleges the allegations set forth in paragraphs 1 through 48 as though fully set forth herein.

50. This is an action for trademark counterfeiting and infringement against Defendants based on their use of counterfeit and confusingly similar imitations of the Kareem Abdul-Jabbar Marks in commerce in connection with the promotion, advertisement, distribution, offering for sale, and sale of the Counterfeit Goods.

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51. Defendants are promoting and otherwise advertising, selling, offering for sale, and distributing goods, using counterfeits and/or infringements of the Kareem Abdul-Jabbar Marks. Defendants are continuously infringing and inducing others to infringe the Kareem Abdul-Jabbar Marks by using one or more of them to advertise, promote, offer to sell, and/or sell at least counterfeit and infringing goods.

52. Defendants' concurrent counterfeiting and infringing activities are likely to cause and actually are causing confusion, mistake, and deception among members of the trade and the general consuming public as to the origin and quality of Defendants' Counterfeit Goods.

53. Defendants' unlawful actions have individually and jointly caused and are continuing to cause unquantifiable damage to Plaintiff and are unjustly enriching Defendants with profits at Plaintiff's expense.

54. Defendants' above-described illegal actions constitute counterfeiting and infringement of the Kareem Abdul-Jabbar Marks in violation of Plaintiff's rights under § 32 of the Lanham Act, 15 U.S.C. § 1114.

55. Plaintiff has suffered and will continue to suffer irreparable injury and damages due to Defendants' above described activities if Defendants are not preliminarily and permanently enjoined. Additionally, Defendants will continue to wrongfully profit from their illegal activities.

**COUNT II -- FALSE DESIGNATION OF ORIGIN
PURSUANT TO § 43(A) OF THE LANHAM ACT (15 U.S.C. § 1125(a))**

56. Plaintiff hereby adopts and re-alleges the allegations set forth in paragraphs 1 through 48 as though fully set forth herein.

57. Upon information and belief, Defendants' Counterfeit Goods bearing, offered for sale, and sold under copies of the Kareem Abdul-Jabbar Marks have been widely advertised and offered for sale throughout the United States via the Internet.

58. Defendants' Counterfeit Goods bearing, offered for sale, and sold under copies of the Kareem Abdul-Jabbar Marks are virtually identical in appearance to Plaintiff's genuine goods. However, Defendants' Counterfeit Goods are different in quality. Accordingly, Defendants' activities are likely to cause confusion in the trade and among the general public as to at least the origin or sponsorship of their Counterfeit Goods.

59. Defendants, upon information and belief, have used in connection with their advertisement, offer for sale, and sale of their Counterfeit Goods, false designations of origin and false descriptions and representations, including words or other symbols and trade dress, which tend to falsely describe or represent such goods and have caused such goods to enter into commerce with full knowledge of the falsity of such designations of origin and such descriptions and representations, all to Plaintiff's detriment.

60. Defendants have authorized infringing uses of the Kareem Abdul-Jabbar Marks in Defendants' advertisement and promotion of their counterfeit and infringing

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branded goods. Defendants have misrepresented to members of the consuming public that the Counterfeit Goods being advertised and sold by them are genuine, non-infringing goods.

61. Additionally, Defendants are using counterfeits and infringements of the Kareem Abdul-Jabbar Marks in order to unfairly compete with Plaintiff and others for space within search engine organic results, thereby jointly depriving Plaintiff of a valuable marketing and educational tool which would otherwise be available to Plaintiff and reducing the visibility of Plaintiff's genuine goods on the World Wide Web.

62. Defendants' above-described actions are in violation of Section 43(a) of the Lanham Act, 15 U.S.C. §1125(a).

63. Plaintiff has no adequate remedy at law and has sustained indivisible injury and damage caused by Defendants' concurrent conduct. Absent an entry of an injunction by this Court, Defendants will continue to wrongfully reap profits and Plaintiff will continue to suffer irreparable injury to its goodwill and business reputation, as well as monetary damages.

COUNT III -- COMMON LAW UNFAIR COMPETITION

64. Plaintiff hereby adopts and re-alleges the allegations set forth in paragraphs I through 48 as though fully set forth herein.

65. This is an action against Defendants based on their promotion, advertisement, distribution, sale, and/or offering for sale of goods using marks which are virtually identical, both visually and phonetically, to the Kareem Abdul-Jabbar

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Marks in violation of Florida's common law of unfair competition.

66. Specifically, Defendants are promoting and otherwise advertising, selling, offering for sale and distributing goods bearing counterfeits and infringements of the Kareem Abdul-Jabbar Marks. Defendants are also using counterfeits and infringements of the Kareem Abdul-Jabbar Marks to unfairly compete with Plaintiff for (i) space in search engine results across an array of search terms and/or (ii) visibility on the World Wide Web.

67. Defendants' infringing activities are likely to cause and actually are causing confusion, mistake and deception among members of the trade and the general consuming public as to the origin and quality of Defendants' products by their use of the Kareem Abdul-Jabbar Marks.

68. Plaintiff has no adequate remedy at law and is suffering irreparable injury and damages as a result of Defendants' actions.

COUNT IV - COMMON LAW TRADEMARK INFRINGEMENT

69. Plaintiff hereby adopts and re-alleges the allegations set forth in paragraphs 1 through 48 as though fully set forth herein.

70. This is an action for common law trademark infringement against Defendants based on their promotion, advertisement, offering for sale, and sale of their Counterfeit Goods bearing one or more of the Kareem Abdul-Jabbar Marks. Plaintiff is the owner of all common law rights in and to the Kareem Abdul-Jabbar Marks.

71. Specifically, Defendants, upon information and belief, are promoting and otherwise advertising, distributing, offering for sale, and selling goods bearing

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infringements of the Kareem Abdul-Jabbar Marks.

72. Defendants' infringing activities are likely to cause and actually are causing confusion, mistake, and deception among members of the trade and general consuming public as to the origin and quality of Defendants' Counterfeit Goods bearing the Kareem Abdul-Jabbar Marks.

73. Plaintiff has no adequate remedy at law and is suffering damages and irreparable injury as a result of Defendants' actions.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff demands judgment on all Counts of this Complaint and an award of equitable relief and monetary relief against Defendants as follows:

A. Entry of temporary, preliminary, and permanent injunctions pursuant to 15 U.S.C. § 1116, 17 U.S.C. § 502(a), and Federal Rule of Civil Procedure 65 enjoining Defendants, their agents, representatives, servants, employees, and all those acting in concert or participation therewith, from manufacturing or causing to be manufactured, importing, advertising or promoting, distributing, selling or offering to sell their Counterfeit Goods; from infringing, counterfeiting, or diluting the Kareem Abdul-Jabbar Marks; from using the Kareem Abdul-Jabbar Marks, or any mark or design similar thereto, in connection with the sale of any unauthorized goods; from using any logo, trade name or trademark or design that may be calculated to falsely advertise the services or products of Defendants as being sponsored by, authorized by, endorsed by, or in any way associated with Plaintiff; from falsely representing themselves as being connected with Plaintiff, through sponsorship or association, or engaging in any act

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that is likely to falsely cause members of the trade and/or of the purchasing public to believe any goods or services of Defendants are in any way endorsed by, approved by, and/or associated with Plaintiff, from affixing, applying, annexing or using in connection with the sale of any goods, a false description or representation, including words or other symbols tending to falsely describe or represent Defendants' goods as being those of Plaintiff, or in any way endorsed by Plaintiff and from offering such goods in commerce; from engaging in search engine optimization strategies using colorable imitations of Plaintiff's Kareem Abdul-Jabbar Marks; and from otherwise unfairly competing with Plaintiff.

B. Entry of an order pursuant to 28 U.S.C. § 1651(a), The All Writs Act, and the Court's inherent authority, that, upon Plaintiff's request, the applicable governing Internet marketplace website operators and/or administrators for the Seller IDs who are provided with notice of an injunction issued by the Court disable and/or cease facilitating access to the Seller IDs, and any other seller identification aliases and domain names being used and/or controlled by Defendants to engage in the business of marketing, offering to sell, and/or selling goods bearing counterfeits and infringements of the Kareem Abdul-Jabbar Marks.

D. Entry of an order pursuant to 28 U.S.C. § 1651(a), The All Writs Act, and the Court's inherent authority, that, upon Plaintiff's request, any Internet marketplace website operators and/or administrators for the Seller IDs who are provided with notice of an injunction issued by the Court, identify any e-mail address known to be associated with Defendants' respective Seller ID.

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E. Entry of an order pursuant to 28 U.S.C. § 1651(a), The All Writs Act, and the Court's inherent authority that, upon Plaintiff's request, any Internet marketplace website operators and/or administrators who are provided with notice of an injunction issued by the Court permanently remove any and all listings and associated images of goods bearing counterfeits and/or infringements of the Kareem Abdul-Jabbar Marks via the e-commerce stores operating under the Seller IDs, and upon Plaintiff's request, any other listings and images of goods bearing counterfeits and/or infringements of the Kareem Abdul-Jabbar Marks associated with and/or linked to the same sellers or linked to any other alias seller identification names being used and/or controlled by Defendants to promote, offer for sale and/or sell goods bearing counterfeits and/or infringements of the Kareem Abdul-Jabbar Marks.

F. Entry of an order requiring Defendants to account to and pay Plaintiff for all profits and damages resulting from Defendants' trademark counterfeiting and infringing and unfairly competitive activities and that the award to Plaintiff be trebled, as provided for under 15 U.S.C. §1117, or, at Plaintiff's election with respect to Count I, that Plaintiff be awarded statutory damages from each Defendant in the amount of two million dollars (\$2,000,000.00) per each counterfeit trademark used and product type sold, as provided by 15 U.S.C. §1117(c)(2) of the Lanham Act.

G. Entry of an order that, upon Plaintiff's request, Defendants and any financial institutions, payment processors, banks, escrow services, money transmitters, or marketplace platforms, and their related companies and affiliates, identify and restrain all funds, up to and including the total amount of judgment, in all financial

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accounts and/or sub-accounts used in connection with the Seller IDs or other seller identification aliases or e-commerce store names, domain names and/or websites used by Defendants presently or in the future, as well as any other related accounts of the same customer(s) and any other accounts which transfer funds into the same financial institution account(s), to be surrendered to Plaintiff in partial satisfaction of the monetary judgment entered herein.

H. Entry of an award pursuant to 15 U.S.C. § 1117 (a) and (b) of Plaintiff's costs and reasonable attorneys' fees and investigative fees associated with bringing this action.

I. Entry of an order requiring Defendants to pay prejudgment interest according to law.

J. Entry of an order for such other and further relief as the Court may deem proper and just.

Date: June 1, 2021

Respectfully submitted by,

THE BRICKELL IP GROUP, PLLC
1101 Brickell Avenue
South Tower, Suite 800
Miami FL, 33131
Tel: 305-728-8831
Fax: 305-428-2450

/s/ Richard Guerra

Richard Guerra, Trial Counsel
Fla. Bar No. 689521
Email: rguerra@brickellip.com
Nicole Fundora
Fla. Bar No. 1010231
Email: nfundora@brickellip.com

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AKERMAN LLP
Alejandro J. Fernandez
Fla. Bar No. 32221
Email: alex.fernandez@akerman.com
401 East Jackson Street
Suite 1700
Tampa FL 33602
Tel: 813-223-7333
Fax: 813-223-2837

Counsel for Plaintiff

EXHIBIT 51

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UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

CASE NO.: 8:21-cv-01331-VMC

AIN JEEM, INC.,

Plaintiff,

v.

THE INDIVIDUALS, PARTNERSHIPS
AND UNINCORPORATED
ASSOCIATIONS IDENTIFIED ON
SCHEDULE "A,"

Defendants.

**PLAINTIFF'S MOTION FOR ORDER AUTHORIZING
ALTERNATE SERVICE OF PROCESS ON DEFENDANTS¹**

Plaintiff, Ain Jeem, Inc. ("Ain Jeem," or "Plaintiff"), by undersigned counsel and pursuant to Fed. R. Civ. P. 4(f)(3), respectfully moves for an order authorizing alternate service of process on Defendants, the Individuals, Partnerships, and Unincorporated Associations identified on Schedule "A" to the Complaint ("Defendants"), and in support thereof respectfully refers the Court to the following Memorandum of Law.

¹ This Motion is directed to all Defendants identified on Schedule "A" to the Complaint that are residing and/or operating outside of the United States. With respect to any Defendants residing and/or operating within the United States, Plaintiff will effect service of process in accordance with Fed. R. Civ. P. 4(e).

MEMORANDUM OF LAW

I. INTRODUCTION

Plaintiff is moving for alternate service as Plaintiff has yet to provide Defendants with notice of this action. *See* accompanying Declaration of Richard Guerra (“Guerra Decl.”) at ¶ 3. On June 8, 2021, this Court issued its Sealed Order Granting *Ex Parte* Application for Entry of Temporary Restraining Order (ECF No. 8) (the “TRO”). Pursuant to the TRO, any third-party financial institution providing services to the Defendants identified on Schedule “A” to the Complaint (the “Third Party Providers”) that receive notice of the TRO are instructed to restrain the respective financial accounts of the Defendants and are further instructed to provide Plaintiff with expedited discovery relating to the identities of the Defendants as well as details of their respective financial accounts. TRO at ¶¶ 4(a) & (b). In response to the expedited discovery from some of the Third Party Providers, Plaintiff has learned that at least three of the Defendants reside outside of the United States. Plaintiff is submitting this Motion so that it can effectuate service of process on those Defendants pursuant to Rule 4 of the Federal Rules of Civil Procedure simultaneously with notice of the TRO.

Plaintiff is suing Defendants for trademark counterfeiting and infringement, false designation of origin, common law unfair competition, common law trademark infringement, and copyright infringement. *See* Pl.’s Compl. (ECF No. 1). Defendants are knowingly and intentionally promoting, advertising, distributing, offering for sale, and selling goods bearing counterfeits and infringements of Plaintiff’s registered trademarks and copyrights in Florida and throughout the United States by operating

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websites and ecommerce stores via third-party marketplace platforms under their seller identification names and website domains identified on Schedule "A" to the Complaint (the "Seller IDs").

Pursuant to Fed. R. Civ. P. 4(f)(3), Plaintiff requests an order authorizing service of process on Defendants via electronic mail ("e-mail") and via website posting. Service via e-mail and by posting on a designated website are appropriate and necessary in this case, because (1) Defendants operate via the Internet; and (2) Defendants rely on electronic communications to operate their businesses. As such, Plaintiff can contact Defendants directly and provide notice of Plaintiff's claims against them electronically via email. Additionally, Plaintiff has created a website and will be posting copies of the Complaint and all other documents filed in this action.

Plaintiff respectfully submits that an order allowing service of process and service of all filings via e-mail and by posting on a designated website in this case will benefit all parties and the Court by ensuring Defendants receive immediate notice of the pendency of this action and allowing this action to move forward expeditiously. Absent the ability to serve Defendants by e-mail and/or by website posting, Plaintiff will almost certainly be left without the ability to pursue a remedy.

II. FACTUAL BACKGROUND

A. Defendants Have Valid Means of Electronic Contact.

Defendants operate Internet-based businesses and identify e-mail, including onsite contact forms, as a means of communication such that Plaintiff will be able to provide Defendants with notice of this action via e-mail and website posting. As a

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practical matter, it is necessary for merchants who operate entirely online, such as Defendants, to provide customers with a valid electronic means by which customers may contact the merchants to ask questions about the merchants' products, place orders from the merchants, and receive information from the merchants regarding the shipments of orders. Moreover, e-commerce defendants generally must maintain accurate e-mail addresses where their marketplace platform administrator or domain registrar and payment processor may communicate with them regarding issues related to the maintenance of their e-commerce store and domain name accounts and transfer of funds for the payment for goods. Additionally, Plaintiff has created a serving notice website that will be appearing at the URL, <https://www.dropbox.com/sh/2qg82izfk2fiwgo/AABM-B39Uk79Ovtlu9UDmjwxa?dl=0> ("Plaintiff's Serving Notice Website") such that anyone accessing the Plaintiff's Serving Notice Website will find copies of all documents filed in this action. *See* Guerra Decl. at ¶ 4. Defendants are further able to receive notice of this action by e-mail via the e-commerce marketplace platform that Defendants use to conduct their commercial transactions via the Seller IDs. Guerra Decl. at ¶ 5.

Plaintiff will also be able to provide each Defendant notice of this action via public announcement on Plaintiff's designated website. Plaintiff has created a publication website that will be appearing at the URL <https://www.dropbox.com/sh/2qg82izfk2fiwgo/AABM-B39Uk79Ovtlu9UDmjwxa?dl=0>, whereon copies of the Complaint and all other

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pleadings, documents, and orders issued in this action will be posted such that anyone accessing Plaintiff's Serving Notice Website will find copies of all documents filed in this action. *See* Guerra Decl. at ¶ 6. The address to Plaintiff's Serving Notice Website will be provided to Defendants via e-mail to Defendants' known e-mail accounts and onsite contact forms and will be included upon service of process in this matter. *Id.*

Accordingly, each Defendant will receive notice of this action electronically by providing the address to Plaintiff's Serving Notice Website to their corresponding e-mail addresses or via the e-commerce marketplace platform or domain registrar Defendants use to conduct their commercial transactions via the Seller IDs. *See* Guerra Decl. at ¶ 7. In this manner, Defendants will receive a web address at which they can access all electronic filings to view, print, or download any document filed in the case similar to the court's CM/ECF procedures. *Id.*

B. Defendants Rely on Electronic Communications.

Defendants have structured their e-commerce store businesses so that the means for customers to purchase Defendants' counterfeit and infringing goods at issue is by placing an order electronically. Defendants take and confirm orders online and rely on electronic means to receive payment. *See* Guerra Decl. at ¶ 8.

Further, in most instances, Defendants must provide an email address and physical address to the third-party platforms through which Defendants operate (*e.g.*, eBay, AliExpress, Alibaba, Amazon, Wish.com, Dhgate, etc.). *Id.* at ¶ 9. Few, however, if any Defendants purport to provide any type of a physical address to these

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third-party platforms much less a valid, accurate, and verifiable physical address. *Id.* at ¶ 10. Unlike an email address, which is typically verified by the third-party online platforms, no verification typically occurs for physical addresses. *Id.* at ¶ 11. Because an Internet store operator can often input any physical address, such addresses are usually false and/or are not where the Internet store operator is located. *Id.* at ¶ 12. As such, even if a physical address is discoverable, it is not a reliable means for identifying and locating Defendants. *Id.* at ¶ 13.²

III. ARGUMENT

Pursuant to Federal Rule of Civil Procedure 4(h)(2), a foreign partnership or other unincorporated association may be served with process in any manner prescribed by Rule 4(f) for serving foreign individuals. Federal Rule of Civil Procedure 4(f)(3) allows a district court to authorize an alternate method for service to be effected upon a foreign defendant, provided that it is not prohibited by international agreement and is reasonably calculated to give notice to the defendant. In the present matter, alternate service of process via e-mail and by posting on Plaintiff's Serving Notice Website are appropriate given that Defendants have established Internet-based businesses by which they rely on electronic communications for their operation. Accordingly, this Court should permit service on Defendants by e-mail and website posting.

² Indeed, a January 2020 publication on counterfeiting by the Department of Homeland Security ("DHS") cites a "lack of relevant policies and procedures to verify sellers' true names and addresses" by third party platforms, which "contributes to a range of impediments to effective enforcement." Guerra Decl. at ¶ 14.

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A. The Court May Authorize Service via E-mail and Website Posting Pursuant to Fed. R. Civ. P. 4(f)(3).

Federal Rules of Civil Procedure 4(h)(2) allows a foreign business entity to be served with process “in any manner prescribed by Rule 4(f),” including any manner ordered under Rule 4(f)(3).” *U.S. Commodity Futures Trading Comm’n v. Aliaga*, 272 F.R.D. 617, 619 (S.D. Fla. 2011). A foreign partnership or other unincorporated association can therefore be served in the same manner as serving a foreign individual pursuant to Fed. R. Civ. P. 4(f)(3). *Id.* Rule 4(f)(3) allows alternative methods for service of process, so long as those methods are not prohibited by international agreement and are directed by the Court. *See Prewitt Enterprises, Inc. v. The Organization of Petroleum Exporting Countries*, 353 F.3d 916, 923 (11th Cir. 2003); *see also Brookshire Bros., Ltd. v. Chiquita Brands Intern., Inc.*, Case No. 05-cv-21962, 2007 WL 1577771, at *2 (S.D. Fla. May 31, 2007); *Rio Properties, Inc., v. Rio Intern. Interlink*, 284 F.3d 1007, 1014 (9th Cir. 2002). In fact, “as long as court-directed and not prohibited by an international agreement, service of process ordered under Rule 4(f)(3) may be accomplished in contravention of the laws of the foreign country.” *Chanel, Inc. v. Zhixian*, No. 10-cv-60585-JIC, 2010 WL 1740695, at *2 (S.D. Fla. April 29, 2010) (quoting *Rio Props., Inc.*, 284 F.3d at 1014 and citing *Mayoral–Amy v. BHI Corp.*, 180 F.R.D. 456, 459 n. 4 (S.D. Fla. 1998)).

The plain language of Rule 4(f)(3) reflects that the decision to issue an order allowing an alternate means of service lies within the sole discretion of the district court. *Prewitt Enters., Inc.*, 353 F.3d at 921; *Rio Props., Inc.*, 284 F.3d at 1116; *Brookshire*

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Bros., Ltd., 2007 WL 1577771, at *2 (noting that “district courts have broad discretion under Rule 4(f)(3) to authorize other methods of service”); *In re Int’l Telemedia Assocs.*, 245 B.R. 713, 720 (N.D. Ga. 2000) (noting that Rule 4(f)(3) is designed to allow courts discretion and broad flexibility to tailor the methods of service for a particular case). Rule 4 does not require a party attempt service of process by those methods enumerated under subsections (f)(1) and (f)(2), including by diplomatic channels and letters rogatory, before petitioning the court for alternative relief under subsection 4(f)(3). *Rio Props., Inc.*, 284 F.3d at 1114-15; *Brookshire Bros., Ltd.*, 2007 WL 1577771, at *1. For example, in *Brookshire*, this Court allowed substitute service on a party’s attorney pursuant to Rule 4(f)(3) holding as follows:

Rule 4(f)(3) is one of three separately numbered subsections in Rule 4(f) and each subsection is separated from the one previous merely by the simple conjunction ‘or.’ Rule 4(f)(3) is not subsumed within or in any way dominated by Rule 4(f)’s other subsections; it stands independently, onequal footing. Moreover, no language in Rules 4(f)(1) or 4(f)(2) indicates the primacy, and certainly Rule 4(f)(3) indicates no qualifiers or limitations which indicate its availability only after attempting service of process by other means.

Brookshire Bros., Ltd., 2007 WL 1577771, at *1 (quoting *Rio Props., Inc.*, 284 F.3d at 1015); accord *TracFone Wireless, Inc. v. Bitton*, 278 F.R.D. 687, 692 (S.D. Fla. Jan 11, 2012) (noting that, in regards to Rule 4(f)(3), “there is no indication from the plain language of the Rule that the three subsections, separated by the disjunctive ‘or,’ are meant to be read as a hierarchy.”). In *Brookshire*, this Court further held, “[t]he invocation of Rule 4(f)(3), therefore, is neither a last resort nor extraordinary relief.” *Brookshire Bros., Ltd.*, 2007 WL 1577771, at *2. Additionally, the Constitution itself

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does not mandate that service be effectuated in any particular way. Rather, Constitutional due process considerations require only that the method of service selected be “reasonably calculated, under all the circumstances, to apprise interested parties of the pendency of the action and afford them an opportunity to present their objections.” *Id.* at *1 (quoting *Mullane v. Cent. Hanover Bank & Trust Co.*, 339 U.S. 306, 314 (1950)); *see also TracFone Wireless, Inc.*, 278 F.R.D. at 692; *Rio Props., Inc.*, 284 F.3d at 1016. Accordingly, federal courts have allowed a variety of alternative service methods, including service by e-mail and service by posting on a designated website, where a plaintiff demonstrates the likelihood that the proposed alternative method of service will notify a defendant of the pendency of the action. *See, e.g., Rio Props., Inc.*, 284 F.3d at 1017 (holding, “without hesitation,” that e-mail service of an online business defendant “was constitutionally acceptable”); *In re Int’l Telemedia Assocs.*, 245 B.R. at 721 (“If any methods of communication can be reasonably calculated to provide a defendant with real notice, surely those communication channels utilized and preferred by the defendant himself must be included among them.”); *National Association for Stock Car Auto Racing, Inc. v. Does*, 584 F. Supp. 2d 824, 826 (W.D.N.C. 2008) (“acknowledging the realities of the twenty-first century and the information age, the Court determined that the most appropriate place for publication was [plaintiff’s website].”).

Here, service on Defendants by e-mail and by posting on Plaintiff’s Serving Notice Website will satisfy due process by apprising them of the action and giving them the opportunity to answer Plaintiff’s claims. Based upon Plaintiff’s investigation,

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each Defendant utilizes e-mail as its principal means of contact, demonstrating that this means of contact is not just effective, but the most reliable means of communicating with that Defendant, and consequently, the most reliable means of providing Defendants with notice of this action. *See* Guerra Decl. at ¶ 15. Moreover, service by posting on Plaintiff's Serving Notice Website will be an additional source of reliability as Defendants will be able to see copies of the Complaint and all other documents in this matter electronically via their Internet browser. *Id.* at ¶ 16.

E-mail service on an online business defendant is appropriate and constitutionally acceptable in a case such as this when a plaintiff has proven that e-mail is the most effective means of providing a defendant notice of the action. *See Rio Props., Inc.*, 284 F.3d at 1017 (concluding "not only that service of process by e-mail was proper—that is, reasonably calculated to apprise [the defendant] of the pendency of the action and afford it an opportunity to respond—but in this case, it was the method of service most likely to reach [the defendant]."); *see also Popular Enterprises, LLC v. Webcom Media Group, Inc.*, 225 F.R.D. 560, 562 (E.D. Tenn. 2004) ("Under the facts and circumstances presented here, Rule 4(f)(3) clearly authorizes the court to direct service upon defendant by e-mail. The rule is expressly designed to provide courts with broad flexibility in tailoring methods of service to meet the needs of particularly difficult cases. Such flexibility necessarily includes the utilization of modern communication technologies to effect service when warranted by the facts.") (citation omitted). In both *Rio Properties* and *Popular Enterprises*, the district courts determined e-mail service to be appropriate, in part, because, as in this case, the

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defendants conducted their business online, used e-mail regularly in their business, and encouraged parties to contact them via e-mail. *See id.*

A number of other district courts have similarly held that alternate forms of service pursuant to Rule 4(f)(3), such as e-mail service, are appropriate and may be the only means of effecting service of process when faced with an international e-business counterfeiting scheme. *See Chanel, Inc.*, 2010 WL 1740695, at *3 (e-mail service “reasonably calculated to notify Defendants of the pendency of this action and provide him with an opportunity to present objections.”); *TracFone Wireless, Inc.*, 278 F.R.D. at 693 (finding that service of process by e-mail was reasonably calculated to apprise the defendants of the action and give it an opportunity to respond); *In re Int’l Telemedia Associates*, 245 B.R. at 722 (concluding e-mail and facsimile service to be appropriate and holding that a “defendant should not be allowed to evade service by confining himself to modern technological methods of communication not specifically mentioned in the Federal Rules. Rule 4(f)(3) appears to be designed to prevent such gamesmanship by a party.”); *Chanel, Inc. v. Zhibing*, Case No. 09-cv-02835, 2010 WL 1009981, at *4 (W.D. Tenn. March 17, 2010) (granting alternate service via e-mail, stating that e-mail service has the “greatest likelihood” of reaching e-commerce merchants, and noting “[t]he federal judiciary’s own CM/ECF system alerts parties ... by e-mail messages”).

The foregoing authority demonstrates that allowing e-mail service in the present case is appropriate and comports with constitutional notions of due process,

particularly given Defendants' decisions to conduct their illegal businesses using the Internet and utilizing e-mail as a primary means of communication.

Additionally, service of a defendant by posting on a designated website has been deemed an appropriate means of service by posting. *See National Association for Stock Car Auto Racing*, 584 F. Supp. 2d at 826. A proposed method of website posting need only be "reasonably calculated under all the circumstances, to apprise interested parties of the pendency of the action and afford them an opportunity to present their objections." *National Association for Stock Car Auto Racing*, 584 F. Supp. 2d at 826 (citing *Mullane*, 339 U.S. 306, 315-16). In *National Association for Stock Car Auto Racing, Inc.*, the district court determined that the plaintiff could serve "Doe" defendants and apprise those defendants of a pending preliminary injunction hearing by posting on the plaintiff's website. *Id.* Courts in the Eleventh Circuit have also consistently approved of this method of service in similar cases. *See, e.g., Richemont Int'l SA v. Cartierlove2u.com*, No. 19-cv-61968, 2019 WL 7938516 (S.D. Fla. Aug. 8, 2019) (Order authorizing alternate service of process via, inter alia, e-mail); *Adidas AG v. Adidas.style*, No. 17-cv-62535, 2018 WL 1801197 (S.D. Fla. Feb. 7, 2018) (same).

Accordingly, Plaintiff has created its serving notice website which will be appearing at the URL, <https://www.dropbox.com/sh/2qg82izfk2fiwgo/AABM-B39Uk79Ovtlu9UDmjwxa?dl=0>, whereon copies of the Complaint, and all other pleadings, documents, and orders issued in this action will be posted. *See Guerra Decl.* at ¶ 6. The address to Plaintiff's Serving Notice Website will be provided to each Defendant via their e-mail accounts and will be included as part of service of process in

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this matter. *Id.* Posting the Summonses and Complaint on Plaintiff's Serving Notice Website will provide notice to Defendants sufficient to meet the due process requirements for service of process and notice pursuant to Fed. R. Civ. P. 4, apprise Defendants of the pendency of this action, and afford Defendants and any other interested parties an opportunity to present their objections.

B. Service of Process Via Electronic Means Are Not Prohibited by International Agreement.

Service via e-mail and via posting on a designated website is not prohibited by international agreement. Based upon the data provided in connection with Defendants' Internet based e-commerce stores, including the shipping information and payment data provided in connection with Defendants' Seller IDs, Plaintiff has good cause to suspect the majority of Defendants are residing and/or operating in the People's Republic of China³ ("China") and/or redistribute products from sources in China. *See Guerra Decl.* at ¶ 17.

The United States and China are signatories to the Hague Convention on the Service Abroad of Judicial and Extra-Judicial Documents in Civil and Commercial Matters (the "Hague Service Convention"). *See id.* at ¶ 18. The Hague Service Convention does not preclude a U.S. district court from authorizing service of process

³ With respect to those Defendants residing outside of China, undersigned counsel has confirmed that there are no jurisdictions at issue that are signatories to an international treaty precluding service by email. Further, while some of these jurisdictions have objected to Article 10 of the Convention (like China), the same analysis set forth herein is equally applicable to these other jurisdictions.

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via e-mail or posting on a designated website. *Id.* Thus, there are no international agreements prohibiting service by e-mail or posting on a designated website. *Id.*

Alternative means of service, such as e-mail and website posting, are not prohibited by the Hague Service Convention where a signatory nation has not expressly objected to those means. *See Stat Med. Devices, Inc. v. HTL-Strefa, Inc.*, No. 15-cv-20590-FAM, 2015 WL 5320947, at *3 (S.D. Fla. Sept. 14, 2015) (noting that an objection to the alternative forms of service set forth in the Hague Convention is limited to the forms of service expressly objected to); *see also Richemont Int'l SA v. Cartierlove2u.com*, No. 19-cv-61968-DIMITROULEAS, 2019 WL 7938516, at *1 (S.D. Fla. Aug. 9, 2019) (authorizing e-mail service and by posting on Plaintiff designated website, noting an objection to the alternative means of service provided by the Hague Convention is expressly limited to those means and does not represent an objection to other forms of service, such e-mail or website posting).

Article 10 to the Hague Service Convention allows service of process through means other than a signatory's Central Authority, such as "postal channels" and "judicial officers," provided the State of destination does not object to those means. *See Hague Convention*, Art. 10, 20 U.S.T. 361 (1969). China has objected to the alternative means of service outlined in Article 10 of the Convention. Guerra Decl. at ¶ 19. However, China's objection is specifically limited to the means of service enumerated in Article 10, which do not include service via email or website posting. *Id.* Because the declarations to the Hague Convention filed by China do not object to e-mail and website posting service, "a court acting under Rule 4(f)(3) remains free to

order alternative means of service that are not specifically referenced in Article X.” *Gurung v. Malhotra*, 279 F.R.D. 215, 219 (S.D.N.Y. 2011) (citations omitted); *see also WhosHere, Inc. v. Orun*, No. 13-cv-00526-AJT, 2014 WL 670817, at *3 (E.D. Va. Feb. 20, 2014) (authorizing e-mail service, noting objection to means of service listed in Article 10 “is specifically limited to the enumerated means of service in Article 10.”).

Moreover, an objection to the alternative means of service provided in Article 10 does not represent a *per se* objection to other forms of service, such as e-mail or website posting. *See In re S. African Apartheid Litig.*, 643 F. Supp. 2d 423, 434 & 437 (S.D.N.Y. 2009) (requiring express objection to alternative method of service by signatory nation to preclude that particular means of service). Consequently, China’s objection to the means of alternative service provided in Article 10 does not prevent this Court from authorizing alternative service of process via e-mail or website posting. *See, e.g., Gurung*, 279 F.R.D. at 220 (approving service of process on foreign defendants via e-mail despite India’s objection to Article 10, stating that an “objection to service through postal channels does not amount to an express rejection of service via electronic mail.”); *Stat Med. Devices, Inc.*, 2015 WL 5320947, at *8-9 (permitting service of process on foreign defendants via e-mail despite Poland’s objection to Article 10, noting “[t]his Court and many other federal courts have permitted service by electronic mail and determined that an objection to Article 10 of the Hague Convention . . . does not equate to an express objection to service via electronic mail.”); *F.T.C. v. PCCare247 Inc.*, No. 12-cv-7189-PAE, 2013 WL 841037, at *4 (S.D.N.Y. March 7, 2013) (authorizing service of process via e-mail and Facebook, explaining that “[n]umerous

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courts have held that service by e-mail does not violate any international agreement where the objections of the recipient nation are limited to those means enumerated in Article 10"); *WhosHere, Inc.*, 2014 WL 670817 (authorizing service of process on foreign defendants via e-mail despite Turkey's objection to Article 10); *Richmond Techs., Inc. v. Aumtech Bus. Solutions*, No. 11-cv-02460-LHK, 2011 WL 2607158, at *2 (N.D. Cal. July 1, 2011) ("[N]umerous courts have authorized alternative service under Rule 4(f)(3) even where the Hague Convention applies. This is true even in cases involving countries that, like India, have objected to the alternative forms of service permitted under Article 10 of the Hague Convention.").

IV. CONCLUSION

For the foregoing reasons, Plaintiff respectfully requests this Court grant the present motion and authorize service of the Complaint, Summons, and all pleadings and discovery in this matter upon each Defendant in this action: (1) via e-mail by providing the address to Plaintiff's designated serving notice website to Defendants via the e-mail accounts provided by the e-commerce platform associated with each of the Seller IDs, and (2) via website posting by posting a copy Summons, Complaint, and all filings in this matter on Plaintiff's Serving Notice Website appearing at the URL <https://www.dropbox.com/sh/2qg82izfk2fiwgo/AABM-B39Uk79Ovtlu9UDmjwxa?dl=0>.

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Date: June 18, 2021

Respectfully submitted by,

THE BRICKELL IP GROUP, PLLC

1101 Brickell Avenue

South Tower, Suite 800

Miami FL, 33131

Tel: 305-728-8831

Fax: 305-428-2450

/s/ Richard Guerra

Richard Guerra, Trial Counsel

Fla. Bar No. 689521

Email: rguerra@brickellip.com

Nicole Fundora

Fla. Bar No. 1010231

Email: nfundora@brickellip.com

AKERMAN LLP

Alejandro J. Fernandez

Fla. Bar No. 32221

Email: alex.fernandez@akerman.com

401 East Jackson Street

Suite 1700

Tampa FL 33602

Tel: 813-223-7333

Fax: 813-223-2837

Counsel for Plaintiff